



# Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

**NINTH ASSEMBLY**

**16 FEBRUARY 2017**

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**Thursday, 16 February 2017**

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

**Justice and Community Safety—Standing Committee  
Statement by chair**

**MRS JONES** (Murrumbidgee) (10.01): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Justice and Community Safety, in its legislative scrutiny role, concerning the Crimes Legislation Amendment Bill 2017.

The Crimes Legislation Amendment Bill 2017 amends both the Crimes (Sentence Administration) Act 2005 and the Crimes (Sentencing) Act 2005. These acts provide for the director-general to exercise various functions in relation to intensive correction orders.

As recognised in the explanatory statement, the bill places limitations on the right to liberty and security of person at section 18 of the Human Rights Act. To the extent it requires samples to be taken for drug and alcohol testing it also engages the right to privacy under section 12 of the Human Rights Act. The reasonableness of any limitations was discussed in the scrutiny committee's report on the Crimes (Sentencing and Restorative Justice) Amendment Bill 2015.

The bill, by retrospectively authorising functions under the two acts, would not generally be considered a distinct interference with the rights in question, and in any event any such interference would be considered a reasonable limit in accordance with section 28 of the Human Rights Act.

By retrospectively validating functions carried out by ACT Corrective Services staff the bill also validates any period of imprisonment that followed from those functions. The bill therefore could be argued to interfere with any entitlement of those affected by that imprisonment to seek remedies in an action for unlawful imprisonment, and to that extent trespasses on personal rights and liberties. However, as discussed in the explanatory statement, any trespass is limited.

The period in question, decisions affected by the bill and hence periods of imprisonment, circumstances under which the functions being validated were carried out—including that the functions carried out were within what staff at the time expected was a valid delegation—and the limited delay in seeking to validate the functions in question indicate that the bill does not unduly interfere with the rights of those affected by the bill.

Fortunately, the committee was able to receive some advice on this bill, despite the short time frame. I thank committee members for taking the time to meet at unusual times in order to gain this advice and to bring it to the chamber so that the Assembly

does not miss out on the vital legal advice that we received in our general meetings. I ask all in this place to respect the role of the scrutiny committee in that it is our only check and balance outside the government and political processes on the bills that come to this place and ensure that any trespasses on human rights are justified.

## **Future of education**

### **Ministerial statement**

**MS BERRY** (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation) (10.04): ACT Labor made a very important commitment to our community before the election last year. We undertook to develop a strategy for the future of education in this city and today I am pleased to get work started on that commitment.

The government comes at this work with a fundamental belief that every child deserves a great education and the life chances which flow from it. We believe in a diverse and creative school system which embraces difference in our children, empowers teachers and educators and fosters excellence. This is the kind of system which successive Labor governments have nurtured in the ACT.

Since my appointment as education and early childhood development minister I have stated many times my passionate support for a diverse and inclusive education system. The success of this system is reflected in social and emotional learning and school retention—in young people ready for what the world throws at them—alongside strong performance in tests. For example, the fact that 85 per cent of ACT students are completing year 12 and around 90 per cent of them go into employment or further study are key markers of a system doing its job.

On literacy and numeracy, we are rightly proud of the high standard ACT schools have traditionally set in national and international testing. But more recently the improvements in other Australian school systems have in a number of ways brought them into line with ours.

We also know that in the early years our performance is similar to other jurisdictions, with only 78 per cent of children in the ACT developmentally ready when they start school. The research is clear that success in school, particularly for disadvantaged children, is founded in quality early childhood education. This is also a trend I have seen over many years working in the early childhood education and care arena, and it is something I see in my own community. It is borne out by a growing evidence base and it has been a theme of my conversations with school leaders, teachers, parents and other community leaders since I became minister.

This is something we must work to improve. We cannot tolerate the situation where the life circumstances of a child showing up at school mean we know whether they will succeed or not. Importantly, there are great stories, such as our Koori preschools, where government-funded access to quality early childhood education and care can make a big difference in people's lives.

So as we start a big conversation with our school communities about the future of education, the need for greater equity will be a constant focus for me. It will be central in answering the question: what do we want and expect from our school and early childhood education systems? Are they providing it and what might we need to change?

For me, the answer is a thriving and inclusive education community where background, culture, gender, class, religion, sexuality, wealth and ability exclude nobody. It is a system where children learn together with others very different from themselves, and we parents also grow from this diversity.

Our schools offer great choice to Canberra families—across the public, Catholic and independent sectors, across different locations and approaches to learning. Alongside this tradition of choice, I believe we need to strengthen the view of schools as community hubs—great places for local children—and encourage parents to take local options.

In the future of education discussion I hope my voice will be one among many. The government will soon start a process of sitting down with a broad spectrum of people to hear their views on these issues, both in and outside what you might consider the typical education stakeholder group.

I will ask community leaders from different fields to act as a reference group for this process to provide a high-level perspective and guide our pursuit of equity. We will also talk with students. I have learnt as a minister the value of chatting with young people about the issues that affect them. They have guided policy change in the sport portfolio and their voices will be important in this process too.

We will also look abroad. Our situation is not unique and there is plenty of analysis of states and provinces in other nations that have faced the challenges that I am speaking of today. As we move through this process I plan to release interim discussion papers to test ideas with the community and I may also seek the support of the Assembly to make change along the way.

At the outset of this process I also want to make clear the connections between this overarching process and other parts of Labor's election platform. We will strongly tie the future of education process to a strategy for greater access to quality early childhood education and care.

We will continue our commitment and passionate advocacy for needs-based funding and commonwealth funding certainty under the Gonski principles. The ACT is about halfway through an extensive reform process under the national education reform agreement, but it makes it hard to progress this work when we are constantly looking over our shoulder with commonwealth funding uncertainty.

We will use our consultations as a reference point for the engagement of new school psychologists and the completion of recommendations under the schools for all report. We will also seek expert oversight of election commitments in information

technology, parental engagement, the way we use standardised testing and different ways of learning and teaching.

All of this, of course, will build on many years of this government pursuing excellence and equity in the ACT education system. The government has been investing in reform across a range of areas such as needs-based funding, inclusive schools, quality teaching, school review and improvement, school leadership, modern infrastructure, digital education, community and parent engagement, and the quality agenda in early childhood. The opportunity that presents itself today—a decade since our last big reform push—is to capitalise on this work with another stride forward to help our schools to keep their place as national stand-outs.

Our children each discover their world in their own way. Some focus quietly on information. Some talk it through. Others pursue learning through experiencing life and practising skills. We need to continue to support and equip teachers to work with the needs of each child.

We will work to make sure the connections are clear for children whose education can benefit from a closer connection with sport, the arts, community services or the digital economy. Above all, we need to give every child an equal chance for a great education and a good life.

I am confident that, as we embark on this process, a broad section of our community will get behind these principles and help to set a great future of education for our community. I present the following paper:

**Error! Bookmark not defined.**Future of Education—Ministerial statement, 16 February 2017.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Family and Personal Violence Legislation Amendment Bill 2017**

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

Title read by Clerk.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (10.12): I move:

That this bill be agreed to in principle.

Madam Speaker, today I am pleased to introduce the Family and Personal Violence Legislation Amendment Bill 2017. The Family and Personal Violence Legislation Amendment Bill contains a series of amendments that will enhance protections for children and for people with disabilities, and will help ensure that the court process is focused on people. As Attorney-General I am committed to helping build a safe, strong, and connected Canberra. This bill will help make some of the most vulnerable people in our city safer.

These reforms have been developed in close cooperation with the Deputy Chief Minister, who is also the minister for the prevention of domestic violence. They are an example of this government, in its first 100 days, getting straight to work on protecting the most vulnerable people in the territory. These amendments will create a better protection and justice system for children, people with disabilities, and victims of domestic and family violence. This is a vital and urgent area of law reform, and it is at the forefront of community awareness.

This bill shows that the government is listening to the community on domestic violence. We developed these measures by listening to what the courts, the community legal centres, and support services for victims of violence had to say about the law.

In the first 100 days and in the first sitting of 2017, we are not only listening but taking action. This bill is just one part of our holistic approach to the problem. Deputy Chief Minister Berry is leading a project to deliver a family safety hub, to protect and support victims of domestic violence. In the previous Assembly, Minister Berry spoke powerfully in support of the Family Violence Act and the Personal Violence Act, which were introduced by my predecessor. Those acts were passed unanimously, with the goal of establishing a strong legal framework for the prevention of domestic and family violence. The amendments in this bill will contribute to that goal by introducing further changes to support children, people with disabilities, and everyone who seeks protection through the courts.

The first set of amendments in this bill enhances the protections available for children under the Family Violence Act 2016 and the Personal Violence Act 2016. The bill restricts the circumstances in which children can give evidence in protection order proceedings consistently with existing provisions in the Children and Young People Act 2008 which require the court to give leave for a child to be called to give evidence as a witness. The court will be required to consider the need to avoid exposing a child to the court system, and the effect giving evidence would have on the child or on their relationship with a family member. If the court decides to give leave for the child to give evidence as a witness, these amendments make sure it is clear that the court can restrict the questions the child may be asked in cross-examination if it is in the child's best interests. Giving evidence can be an extremely intimidating situation for a child, particularly if they are being asked to give evidence against a family member. These provisions ensure children are not exposed to the court system unnecessarily.

The amendments also provide protections for children in relation to the service of documents under the acts. The amendments prevent a child from being served with

documents under the acts at or near their school, and require the child's parent to be provided with a copy of any documents.

It is crucial that our domestic and family legislation takes account of the needs of the children involved. In these complex matters, children can be the subject of family court proceedings, witnesses to abuse of their parents, witnesses to abuse of their siblings, and victims of crimes themselves. In every interaction with the justice system, the independent and special needs of the child involved must be paramount. A society is measured by the way it treats its most vulnerable. This bill has been drafted with a focus on the child across domestic and family violence legislation, because we are determined to measure up.

The second focus of this bill is additional protection for people with impaired decision-making ability. It is sadly the case that people with disabilities, and particularly with impaired decision-making abilities, are at an elevated risk of being victims of domestic violence. One example of how this bill addresses disability and impaired decision-making is requiring a copy of any documents served in relation to a domestic or family violence order to be given to a person's guardian. This means that a guardian will be made aware of any application to ensure that they can explain the documents and provide assistance to the person with the impaired decision-making ability. This government is determined to ensure both that people who are vulnerable in our society are best protected and that the overall court system undergoes continual improvement.

This bill has amendments that will help victims avoid having to re-tell what has happened to them over and over. Every time a victim of domestic and family violence has to recount what has happened, there is the potential for reliving the trauma that has occurred. For that reason, under current law a recorded statement can be used as evidence in a criminal trial for domestic and family violence cases as a substitute for the victim going to court and restating what happened. For obvious reasons, the law prohibits those recordings from being published outside the court. The purpose of the restriction is to stop offenders or anyone else from accessing these deeply personal recordings and using them improperly.

However, the law as it stands means that even the victim who made the recording cannot use it as evidence in support of a domestic violence order. Frequently, when there have been criminal charges laid in relation to domestic violence the victim will separately ask the court for a protection order. But a protection order is not part of the criminal case.

This bill introduces a change to allow people who are the victim of a crime to use their recordings in support of their application for a protection order. This means that when a court considers making a domestic violence protection order it can hear the same recorded statement by the person who needs protection that is available in the criminal trial. The change means that the victims of domestic violence have one fewer requirement to re-tell what has happened, and consequently there is less scope for forcing them to relive the trauma of the abuse.

The final examples of how this bill helps victims that I will discuss today are about the administration of the domestic violence and protection orders schemes overall. The Family Violence Act 2016 has provisions to support the automatic national recognition of family violence orders. The national domestic violence order scheme will allow orders to be recognised and enforced across the country. The scheme will remove the need for a protected person to register their order in multiple jurisdictions to ensure that it can be enforced.

Currently these provisions will commence on 1 May 2017. States and territories participating in the national domestic violence order scheme will now commence their respective laws on the same date to ensure consistency. This will support the effective implementation of the scheme and support certainty and clarity for stakeholders and the community. The ACT is actively working with other jurisdictions towards a national commencement date in late 2017. The amendments allow the provisions to be commenced by ministerial notice to ensure that all administrative arrangements required to support the effective operation of the scheme have been established in all participating jurisdictions.

The bill also resolves procedural issues which have been replicated from the Domestic Violence and Protection Orders Act 2008. For example, under the current processes time frames are overly restrictive where a person against whom an order is sought is interstate. The timing requirement for when a hearing must occur can result in the person seeking protection attending court only for the matter to be adjourned to a later date, after the documents have been served. The bill amends time frames relating to the hearing of protection orders to allow the courts to manage effective responses to family and personal violence.

Taken together, these amendments are a demonstration of the ACT's whole-of-system approach to service. This legislation enables the courts to focus on supporting people, and it is a reaffirmation to people who are experiencing domestic and family violence that we are listening and that we will do everything we can to help them.

Madam Speaker, I commend the bill to the Assembly.

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

## **Co-operatives National Law (ACT) Bill 2017**

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

Title read by Clerk.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (10.22): I move:

That this bill be agreed to in principle.

I am pleased to introduce the Co-operatives National Law (ACT) Bill 2017. The bill that is being presented today will replace the Cooperatives Act 2002 with a uniform national law which now applies in nearly all Australian jurisdictions.

By way of background, cooperatives are businesses only run for the benefit of their members. They provide an important part of our local, Australian and world economies and communities. While we have a small cooperative sector in the ACT, our cooperatives provide important services to our community, including affordable healthcare services.

Organisations or people wishing to incorporate can choose the cooperative structure as an alternative to being a company or an incorporated association. The cooperative model is flexible and allows the business to be for profit or not for profit. About three-quarters of cooperatives are established as not for profit, in that they have rules that prevent them from distributing any surplus to their members.

The development of the uniform cooperatives national law has been led by New South Wales. The cooperatives national law is set out as an appendix to the New South Wales Co-operatives (Adoption of National Law) Act 2012. New South Wales was the first jurisdiction to replace the scheme with the uniform cooperatives national law.

The ACT's Cooperatives Act 2002 and Cooperatives Regulation 2003 are based on the repealed New South Wales cooperatives act and regulation. The ACT agreed to progress this reform under the Australian uniform cooperatives laws agreement. To date, all states and territories other than Queensland have passed legislation that either adopts the cooperatives national law or achieves consistency with the cooperatives national law.

The bill provides that the cooperatives national law, as in force from time to time and as set out in the appendix to the New South Wales act, applies as a territory law as modified by schedule 1 of the bill. If the New South Wales parliament passes a law amending the cooperatives national law, the amending law must be presented to the Legislative Assembly within six sitting days and may be disallowed.

The amendments will remove red tape for our local cooperatives and "foreign cooperatives", which are called participating cooperatives under the cooperatives national law, who wish to carry on business in the ACT. It will also simplify reporting and financial arrangements for small cooperatives by reducing burdensome reporting requirements.

The bill will allow for mutual recognition of cooperatives operating in participating jurisdictions without requiring them to register. Under the arrangements that existed before the adoption of the cooperatives national law, a "foreign cooperative" was required to register in each state or territory where it wished to carry on business. This not only represented unnecessary red tape but also was a cost imposition as an application attracted a filing fee in each state and territory where the cooperative wished to register. This bill will bring the ACT into line with most other jurisdictions by removing this unnecessary red tape and cost for cooperatives who wish to carry on business in the territory.

The Cooperatives Act 2002 does not differentiate between small cooperatives and large cooperatives. The bill will simplify financial reporting for small cooperatives. One of the key reforms of the cooperatives national law was to reduce the reporting and financial obligations for small cooperatives. The cooperatives national law requires small cooperatives to lodge an annual return, but they will not have to lodge publicly available accounts with the registrar. Additionally, small cooperatives will not have to appoint an auditor or have their accounts audited or reviewed unless directed to do so by the registrar. These reduced reporting requirements are expected to deliver significant cost savings without any significant risks to the viability of cooperatives or to the public.

Adoption of the cooperatives national law will align director duties and the duties of other officers with duties contained in the Corporations Act 2001, including provisions in relation to the use of position, use of information and good faith. There are also provisions relevant to professionals who provide services to a cooperative, for example, auditors, receivers and liquidators.

Cooperatives registered under the Cooperatives Act 2002 are taken to be registered under this bill. Cooperatives will be able to continue to operate under their existing rules and will not need to modify their rules.

The bill will retain existing ACT mechanisms that are already used under the Cooperatives Act 2002 when it adopts the cooperatives national law, such as the registrar for cooperatives, the ACT Civil and Administrative Tribunal and the ACT Supreme Court. Applications can continue to be made to the ACAT in relation to reviewable decisions. Among other functions, the ACT Supreme Court is able to make decisions in relation to the rights and liabilities of cooperative members, the appointment of members and the control of property of a cooperative.

The benefits of cooperatives are numerous. Cooperatives empower people through their democratic, member-owned and member-serving business model. This bill will remove unfair burdens on small cooperatives and facilitate cooperatives operating across borders.

I commend the bill to the Assembly.

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

## **Annual and financial reports 2015-16**

### **Reference to standing committees**

**MR GENTLEMAN** (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (10.29): I move:

That:

- (1) the annual and financial reports for the financial year 2015-2016 and for the calendar years 2015 and 2016 presented to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 2004* stand referred to the standing committees, on presentation, in accordance with the schedule below;
- (2) the annual report of ACT Policing stands referred to the Standing Committee on Justice and Community Safety;
- (3) notwithstanding standing order 229, only one standing committee may meet for the consideration of the inquiry into the calendar years 2015 and 2016 and financial year 2015-2016 annual and financial reports at any given time;
- (4) standing committees are to report to the Assembly on financial year reports by the last sitting day in May 2017, on calendar year reports for 2015 by the last sitting day in May 2017 and on calendar year reports for 2016 by the last sitting day in August 2017;
- (5) if the Assembly is not sitting when a standing committee has completed its inquiry, a committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation; and
- (6) the forgoing provisions of this resolution have effect notwithstanding anything contained in the standing orders.

Annual Report (in alphabetical order)	Reporting area	Ministerial Portfolio(s)	Standing Committee
ACT Auditor-General			Public Accounts
ACT Building and Construction Industry Training Fund Authority		Minister for Higher Education, Training and Research	Education, Employment and Youth Affairs
ACT Electoral Commission			Justice and Community Safety
ACT Gambling and Racing Commission		Minister for Regulatory Services	Justice and Community Safety
ACT Human Rights Commission		Minister for Justice, Consumer Affairs and Road Safety	Justice and Community Safety
ACT Insurance Authority		Treasurer	Public Accounts
ACT Long Service Leave Authority		Minister for Workplace Safety and Industrial Relations	Education, Employment and Youth Affairs
ACT Ombudsman			Public Accounts

<b>Annual Report (in alphabetical order)</b>	<b>Reporting area</b>	<b>Ministerial Portfolio(s)</b>	<b>Standing Committee</b>
ACT Policing		Minister for Police and Emergency Services	Justice and Community Safety
Canberra Institute of Technology		Minister for Higher Education, Training and Research	Education, Employment and Youth Affairs
Capital Metro Agency (light rail)		Minister for Transport and City Services	Environment and Transport and City Services
Chief Minister, Treasury and Economic Development Directorate	Government Policy and Strategy; Public Sector Management; Coordinated Communications and community engagement	Chief Minister	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Economic and Financial Management	Treasurer	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Revenue and Government Business Management	Treasurer	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Shared Services	Treasurer	Public Accounts
Chief Minister, Treasury and Economic Development Directorate	Gaming and Racing	Attorney-General	Justice and Community Safety
Chief Minister, Treasury and Economic Development Directorate	Access Canberra—Commissioner for Fair Trading	Minister for Justice, Consumer Affairs and Road Safety	Justice and Community Safety

<b>Annual Report (in alphabetical order)</b>	<b>Reporting area</b>	<b>Ministerial Portfolio(s)</b>	<b>Standing Committee</b>
Chief Minister, Treasury and Economic Development Directorate	Innovation, Trade and Investment—Innovate Canberra	Minister for Economic Development	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Innovation, Trade and Investment—Skills Canberra	Minister for Higher Education, Training and Research	Education, Employment and Youth Affairs
Chief Minister, Treasury and Economic Development Directorate	Visit Canberra	Minister for Tourism and Major Events	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Property Services	Minister for Economic Development	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Arts Engagement	Minister for the Arts and Community Events	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Access Canberra	Minister for Regulatory Services	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Superannuation Provision Account	Treasurer	Public Accounts
Chief Minister, Treasury and Economic Development Directorate	Territory Banking Account	Treasurer	Public Accounts
Chief Minister, Treasury and Economic Development Directorate	ACT Executive	Chief Minister	Economic Development and Tourism

Annual Report (in alphabetical order)	Reporting area	Ministerial Portfolio(s)	Standing Committee
Chief Minister, Treasury and Economic Development Directorate	ACT Compulsory Third Party Insurance Regulator	Treasurer	Public Accounts
Chief Minister, Treasury and Economic Development Directorate	<i>Construction Occupations (Licensing) Act 2004</i>	Minister for Regulatory Services	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	ACT Government Procurement Board	Minister for Economic Development	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Lifetime Care and Support Fund	Treasurer	Public Accounts
Chief Minister, Treasury and Economic Development Directorate	Office of the Nominal Defendant of the ACT	Treasurer	Public Accounts
Chief Minister, Treasury and Economic Development Directorate	Venues and Events	Minister for Tourism and Major Events	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Default Insurance Fund	Minister for Workplace Safety and Industrial Relations	Education, Employment and Youth Affairs
Chief Minister, Treasury and Economic Development Directorate	Sport and Recreation Services	Minister for Sport and Recreation	Environment and Transport and City Services
Chief Minister, Treasury and Economic Development Directorate	Environment Protection Authority	Minister for Regulatory Services	Environment and Transport and City Services

<b>Annual Report (in alphabetical order)</b>	<b>Reporting area</b>	<b>Ministerial Portfolio(s)</b>	<b>Standing Committee</b>
Chief Minister, Treasury and Economic Development Directorate	Workplace Safety and Industrial Relations	Minister for Workplace Safety and Industrial Relations	Education, Employment and Youth Affairs
Chief Minister, Treasury and Economic Development Directorate	Policy, Strategy and Infrastructure Delivery—Urban Renewal	Minister for Urban Renewal	Planning and Urban Renewal
Chief Minister, Treasury and Economic Development Directorate	Policy, Strategy and Infrastructure Delivery—Land Release, Suburban Development	Minister for Housing and Suburban Development	Planning and Urban Renewal
Chief Minister, Treasury and Economic Development Directorate	Architects Board of the ACT	Minister for Planning and Land Management	Planning and Urban Renewal
Chief Minister, Treasury and Economic Development Directorate	Asbestos Response Taskforce—Loose Fill Asbestos Insulation Eradication Scheme	Minister for Planning and Land Management	Planning and Urban Renewal
Chief Minister, Treasury and Economic Development Directorate	Public Housing Renewal Taskforce and Affordable Housing	Minister for Housing and Suburban Development	Planning and Urban Renewal
Chief Minister, Treasury and Economic Development Directorate	Director of Territory Records	Chief Minister	Economic Development and Tourism
Commissioner for Public Administration	State of the Service Report	Chief Minister	Economic Development and Tourism
Community Services Directorate	Community Participation—Community Sector Reform	Minister for Community Services and Social Inclusion	Health, Ageing and Community Services
Community Services Directorate	Community Participation—Community Recovery	Minister for Community Services and Social Inclusion	Health, Ageing and Community Services

<b>Annual Report (in alphabetical order)</b>	<b>Reporting area</b>	<b>Ministerial Portfolio(s)</b>	<b>Standing Committee</b>
Community Services Directorate	Community Participation—Service Strategy	Minister for Community Services and Social Inclusion	Health, Ageing and Community Services
Community Services Directorate	Community Participation—Aboriginal and Torres Strait Islander Affairs	Minister for Aboriginal and Torres Strait Islander Affairs	Health, Ageing and Community Services
Community Services Directorate	Community Participation—Multicultural Affairs	Minister for Multicultural Affairs	Health, Ageing and Community Services
Community Services Directorate	Community Participation—Women	Minister for Women	Health, Ageing and Community Services
Community Services Directorate	Community Participation—Youth Engagement	Minister for Disability, Children and Youth	Health, Ageing and Community Services
Community Services Directorate	Community Participation—Veterans and Seniors	Minister for Veterans and Seniors	Health, Ageing and Community Services
Community Services Directorate	Disability and Therapy Services	Minister for Disability, Children and Youth	Health, Ageing and Community Services
Community Services Directorate	Social Housing Services	Minister for Housing and Suburban Development	Health, Ageing and Community Services
Community Services Directorate	Early Interventions Services	Minister for Disability, Children and Youth	Health, Ageing and Community Services
Community Services Directorate	Child and Youth Protection Services	Minister for Disability, Children and Youth	Health, Ageing and Community Services
Cultural Facilities Corporation		Minister for the Arts and Community Events	Economic Development and Tourism
Director of Public Prosecutions		Attorney-General	Justice and Community Safety
Education and Training Directorate		Minister for Education and Early Childhood Development	Education, Employment and Youth Affairs
Environment, Planning and Sustainable Development Directorate	Environment	Minister for the Environment and Heritage	Environment and Transport and City Services
Environment, Planning and Sustainable Development Directorate	Sustainability and Climate Change	Minister for Climate Change and Sustainability	Environment and Transport and City Services

Annual Report (in alphabetical order)	Reporting area	Ministerial Portfolio(s)	Standing Committee
Environment, Planning and Sustainable Development Directorate	Heritage	Minister for the Environment and Heritage	Environment and Transport and City Services
Environment, Planning and Sustainable Development Directorate	Planning	Minister for Planning and Land Management	Planning and Urban Renewal
Environment, Planning and Sustainable Development Directorate	Conservator of Flora and Fauna	Minister for the Environment and Heritage	Environment and Transport and City Services
Environment, Planning and Sustainable Development Directorate	Report on the Operation and Administration of the <i>Energy Efficiency (Cost of Living) Improvement Act 2012</i> for 2014-15	Minister for Climate Change and Sustainability	Environment and Transport and City Services
Environment, Planning and Sustainable Development Directorate	ACT Heritage Council	Minister for the Environment and Heritage	Environment and Transport and City Services
Territory and Municipal Services Directorate	Land Management—Parks and Conservation; Public Land Management Plans	Minister for the Environment and Heritage	Environment and Transport and City Services
Health Directorate		Minister for Health	Health, Ageing and Community Services
Health Directorate	Mental Health Services, Facilities, Policy and programs	Minister for Mental Health	Health, Ageing, and Community Services
Health Directorate	Justice Health Services, Facilities, Policy and programs	Minister for Mental Health	Health, Ageing, and Community Services
Icon Water Limited (formerly ACTEW Corporation)		Treasurer	Public Accounts
Independent Competition and Regulatory Commission		Treasurer	Public Accounts
Justice and Community Safety Directorate		Attorney-General	Justice and Community Safety

<b>Annual Report (in alphabetical order)</b>	<b>Reporting area</b>	<b>Ministerial Portfolio(s)</b>	<b>Standing Committee</b>
Justice and Community Safety Directorate	ACT Emergency Services Agency	Minister for Police and Emergency Services	Justice and Community Safety
Justice and Community Safety Directorate	ACT Corrective Services	Minister for Corrections	Justice and Community Safety
Justice and Community Safety Directorate	Road Safety and Road Transport Regulation	Minister for Justice, Consumer Affairs and Road Safety	Justice and Community Safety
Justice and Community Safety Directorate	Consumer Affairs	Minister for Justice, Consumer Affairs and Road Safety	Justice and Community Safety
Land Development Agency		Minister for Housing and Suburban Development	Planning and Urban Renewal
Legal Aid Commission (ACT)		Attorney-General	Justice and Community Safety
Office of the Commissioner for Sustainability and the Environment		Minister for the Environment and Heritage	Environment and Transport and City Services
Office of the Legislative Assembly			Public Accounts
Public Advocate of the ACT	Matters relating to the Minister for Justice, Consumer Affairs and Road Safety	Minister for Justice, Consumer Affairs and Road Safety	Justice and Community Safety
Public Advocate of the ACT	Matters relating to the Attorney-General	Attorney-General	Justice and Community Safety
Public Trustee and Guardian	Official Visitors	Minister for Justice, Consumer Affairs and Road Safety	Justice and Community Safety
Public Trustee and Guardian		Attorney-General	Justice and Community Safety
Territory and Municipal Services Directorate	ACT Veterinary Surgeons Board	Minister for Transport and City Services	Environment and Transport and City Services
Territory and Municipal Services Directorate	Information services; Waste and Recycling; Regulatory Services; Capital Linen and Sustainable Transport	Minister for Transport and City Services	Environment and Transport and City Services
Territory and Municipal Services Directorate	Land Management—Urban Land Management; Design and Development; Yarralumla Nursery	Minister for Transport and City Services	Environment and Transport and City Services

Annual Report (in alphabetical order)	Reporting area	Ministerial Portfolio(s)	Standing Committee
Territory and Municipal Services Directorate	Roads ACT	Minister for Transport and City Services	Environment and Transport and City Services
Territory and Municipal Services Directorate	ACTION	Minister for Transport and City Services	Environment and Transport and City Services
Territory and Municipal Services Directorate	ACT Public Cemeteries Authority	Minister for Transport and City Services	Environment and Transport and City Services
Territory and Municipal Services Directorate	Animal Welfare Authority	Minister for Transport and City Services	Environment and Transport and City Services
University of Canberra		Minister for Higher Education, Training and Research	Education, Employment and Youth Affairs
Victims Support ACT		Minister for Justice, Consumer Affairs and Road Safety	Justice and Community Safety

While this motion is somewhat administrative, quite a deal of work went into its preparation. I thank the chamber's support particularly, members' offices and, in particular, Frances Bevan from my office for their support in its preparation. The government looks forward to the inquiry hearings and reports.

Question resolved in the affirmative.

## **Estimates 2017-2018—Select Committee Establishment**

**MR COE** (Yerrabi—Leader of the Opposition) (10.29): I move:

That:

- (1) a Select Committee on Estimates 2017-2018 be appointed to examine the expenditure proposals contained in the Appropriation Bill 2017-2018, the Appropriation (Office of the Legislative Assembly) Bill 2017-2018 and any revenue estimates proposed by the Government in the 2017-2018 Budget and prepare a report to the Assembly;
- (2) the Committee be composed of:
  - (a) two Members to be nominated by the Government;
  - (b) two Members to be nominated by the Opposition; and
  - (c) one Member to be nominated by The Greens;
 to be notified in writing to the Speaker by 12.15 pm today;

- (3) an Opposition Member shall be elected chair of the Committee by the Committee;
- (4) funds be provided by the Assembly to permit the engagement of external expertise to work with the Committee to facilitate the analysis of the Budget and the preparation of the report of the Committee;
- (5) the Committee is to report by Tuesday, 1 August 2017;
- (6) if the Assembly is not sitting when the Committee has completed its inquiry, the Committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation; and
- (7) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders.

As is customary at this time of year I propose that a select committee on estimates be established. Consistent with the structure of the past, the opposition is proposing that there be two members nominated by the government, two by the opposition, and one member of the Greens. We are requesting that those nominees be made in the next couple of hours or so. We believe it is important to get the committee up and going as soon as possible so things such as the appointment of a specialist adviser and the schedule can be sorted out as quickly as possible.

Question resolved in the affirmative.

## **Administration and Procedure—Standing Committee Reference**

**MS LAWDER** (Brindabella) (10.31): I move:

- (1) notes that:
  - (a) omnibus amendment bills are a useful tool to make minor policy, technical and editorial amendments to various pieces of legislation;
  - (b) these omnibus amendment bills enable legislation to be kept up to date and respond to changing circumstances and/or fix errors; and
  - (c) these omnibus amendment bills are designed for minor and non-controversial amendments only; and
- (2) refers the question of omnibus amendment bills to the Standing Committee on Administration and Procedure to examine the general basis of omnibus amendment bills and provide some guidance or principles to Members as to what constitutes minor or technical changes, as opposed to substantive changes.

I rise today to speak to this motion that I think will provide some guidance to members of the Assembly about the importance of understanding the nature of amendment bills such as CLABs, SLABs, PABELABs et cetera. These omnibus pieces of legislation are a very useful tool to make minor policy and technical changes. But I refer back to 2011 and the introduction of the first PABLAB. Minister Barr, now the Chief Minister, introduced the PABLAB debate by saying:

... this PABLAB debate is an effective and flexible tool to consolidate minor, non-controversial amendments to the building and planning legislation and, in my view, provides a practical and expedient response to amend minor technical and typographical errors, to clarify uncertainties, to remove redundancies and to address minor policy challenges.

That was on 5 May 2011. I think this is the understanding that most of us have proceeded with: “Minor technical typographical errors, to clarify uncertainties, remove redundancies and to address minor policy challenges.” Certainly for us in the opposition, that is the basis upon which we have looked at these omnibus amendment bills when they have come through.

But there are instances where these omnibus bills contain more than what some may see as minor technical or typographical et cetera changes. In just the last Assembly alone the government often put legislation through the omnibus process that could have had significant consultation and debate associated with it, for example, changes to planning legislation, to statute law, to crimes legislation.

This can be complicated and can have a significant impact on the relevant sector and on the public of the ACT, even if they may appear at first blush to be minor. So it is important that the government consults all the stakeholders and the wider community before changes are made.

We have also had some instances where, in effect, some members have accused the government of trying to sneak through changes in an omnibus bill without proper consultation. We may have had 10 changes proposed in an omnibus amendment bill. Nine of them may well have been minor or technical in nature, but a 10th may have been far more comprehensive a change.

Some bills should not carry amendments of a substantive or controversial nature. Sometimes we have seen changes or amendments that are much more substantive than those made in other schedules. There is a risk that they may push the boundaries of the omnibus legislation.

I will repeat that the purpose of the omnibus bills is to make minor technical and non-controversial changes. In some cases it may be as simple as where there is an existing reference, for example, to section 2(c). Other changes may mean that 2(c) is incorrect and it should be 2(b). They are minor changes and they do not change the intent of the legislation.

I referred at the start of my speech today to the words that the present Chief Minister used to describe omnibus legislation back in 2011, “a practical and expedient response

to amend minor technical and typographical errors, to clarify uncertainties, to remove redundancies, and to address minor policy challenges”.

I contrast that with some words that were spoken in this place as recently as Tuesday. The Attorney-General, Mr Ramsay, spoke about, I think it was, a SLAB. Mr Ramsay on Tuesday referred to technical and insignificant concepts. He talked about the technical matters that were contained in that amendment bill. He said, and I quote to the best of my ability from the draft *Hansard*—so there may have been some changes—and based on my memory, “If the changes were technical and insignificant, I would have sent back the brief when it first arrived to say that there is no point spending resources in making technical changes that have no impact on people’s lives.” That is a quite interesting difference from what Mr Barr said back in 2011 in respect of the use of these omnibus bills, which I would say is the understanding that we in the opposition work on as the basis for omnibus bills.

Mr Ramsay said that the bill and the amendments we debated on Tuesday are, indeed, technical; they are also significant. So you can see there the discrepancy and the ease with which a misunderstanding may arise, Madam Speaker. On the one hand, we have many people working on the understanding that these omnibus bills are for minor, technical and non-controversial changes. The Attorney-General is working on the premise that they are significant.

I am a bit confused by the depth of misunderstanding as to the use of these omnibus bills. With that in mind—in fact, before the statements from the Attorney-General on Tuesday—I put forward a motion suggesting that the administration and procedure committee look at the question of these omnibus bills and try to provide some guiding principles as far as can be done, because I know it is perhaps a subjective issue. I asked that the committee put forward some guiding principles so that we are all working to the same understanding, we are all singing from the same hymn sheet, if you like. That may appeal to Mr Ramsay’s understanding of the issue.

What I would like to see is that we all understand what the purpose of these omnibus bills is. That is why I put forward the motion today suggesting that the admin and procedure committee look at omnibus bills and try to provide some guidance to members. I commend the motion to the Assembly.

**MR GENTLEMAN** (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (10.39): I thank Ms Lawder for bringing forward the motion this morning. I have circulated an amendment to the motion. I move the amendment circulated in my name:

Omit all words after “That this Assembly”, substitute:

“(1) notes that:

- (a) omnibus amendment bills are a useful tool to make policy, technical and editorial amendments to various pieces of legislation; and

- (b) omnibus amendment bills enable legislation to be kept up-to-date and respond to changing circumstances and/or fix errors; and
- (2) refers the question of omnibus amendment bills to the Standing Committee on Administration and Procedure to examine the general basis and use of omnibus amendment bills.”.

As I have had occasion to reflect already once in this sitting of the Assembly, this government is committed to ensuring that the ACT’s legislation remains up to date, agile and adaptive to changing circumstances. The government is committed to best practice administration and taking opportunities to remove unnecessary red tape. Omnibus amendment bills provide an efficient avenue for the government to make policy, technical and editorial amendments to legislation. They are an important tool to ensure that our laws remain effective, up to date and achieve the purpose for which they were introduced. Our government will always welcome opportunities to review our practices and ensure that we are meeting high standards of good governance, transparency and integrity.

For this reason, we would welcome the referral of the question of omnibus amendment bills to the Standing Committee on Administration and Procedure to examine the general basis and use of omnibus amendment bills. Our amendment to the motion is made in support of the standing committee exercising its own judgement in determining the scope and premise of any examination it decides to undertake with regard to omnibus amendment bills. I commend the amendment to the Assembly.

**MR RATTENBURY** (Kurrajong) (10.40): I am happy that Ms Lawder brought this forward. It follows a recent discussion about what should be in these bills. I think that what became clear in those discussions was that much of this is dictated by convention. There are clearly some problems. As Ms Lawder just outlined in her remarks, there are probably some different understandings of what the conventions are and what the various terms are considered to be.

I think it is well worth while for the administration and procedure committee to have a look at this. Whether we can define exactly what those conventions are in a way that is practical remains to be seen. Nonetheless, I am sure the discussion will draw that out. Mr Gentleman has moved an amendment. I am happy to support that. I think it is probably a little more succinct than the original motion but makes the same point. I will be happy to support that amendment.

**MS LAWDER** (Brindabella) (10.41): I will speak to the amendment and close the debate. Thank you, members. I am happy to support Mr Gentleman’s amendment. I certainly agree with Mr Rattenbury. It is not necessarily a simple question. It is not as simple as providing rules. That is why I referred to some guiding principles. But we have seen over the course of a number of Assemblies, and even as recently as earlier this week, perhaps a misalignment in the expectations of different members, including the Attorney-General himself, as to what could or should be in these ominous amendment bills.

I think it is a worthwhile exercise for the committee to have a look at this and for all of us to have at least a basic baseline understanding as to the purpose and intent of

these ominous amendment bills. I look forward to the results of the admin and procedure committee inquiry when it looks at this particular question. I wish them all the very best in their exercise. Thank you, members.

Amendment agreed to.

Motion, as amended, agreed to.

## **Administration and Procedure—Standing Committee Reference**

**MR GENTLEMAN** (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (10.43): I move:

That the Standing Committee on Administration and Procedure inquire into and report on strengthening the Commissioner for Standards' role by streamlining the referrals process for complaints against MLAs.

Over the course of the last three Assemblies consecutive Labor governments have established and enshrined robust integrity mechanisms to ensure that public trust in government is maintained at a very high standard. A strong integrity framework is vital if the Legislative Assembly is to be effective in serving the ACT. The community has a high expectation of us as their elected representatives. As members of the Legislative Assembly we are rightly held to high standards of accountability and integrity.

If we are not able to demonstrate the integrity of our actions, the community would be quite justified in withdrawing the trust that it has placed in us. When the Assembly adopted the Latimer House principles on the three branches of government, it committed to a number of principles, including the entrenchment of good governance based on the highest standards of honesty, probity and accountability.

Adoption of these principles also includes a commitment to develop, adopt and periodically review appropriate guidelines for ethical government. One branch of the integrity framework was the introduction of the Assembly Commissioner for Standards in 2013. The commissioner was empowered through a continuing resolution of the Assembly to investigate allegations of misconduct against MLAs. Dr Ken Crispin QC was appointed to this position in March 2014.

Madam Speaker, the Commissioner for Standards has exercised the assigned functions in a diligent, impartial and effective manner since his appointment. The Labor Party went to the 2016 election with a promise to the people of Canberra to further reinforce the core principles of integrity in government by establishing an Independent Integrity Commission, by strengthening the role of the Auditor-General and by strengthening the role of the Commissioner for Standards.

As with all integrity measures introduced by this government, vigilance and continuous improvement are vital as we strive to consistently deliver open and accountable government to the people of the ACT.

This inquiry meets the previous Assembly's commitment to periodic review of integrity mechanisms. It represents an opportunity to streamline the standards commissioner referrals process and to review possible interactions with the role of the Ethics and Integrity Adviser and also the future integrity commission.

We are therefore seeking to review the nature and scope of the functions of the standards commissioner, along with reporting and referral requirements, to ensure that MLAs fulfil their duties and responsibilities in accordance with established conduct, requirements and community expectations.

**MRS DUNNE** (Ginninderra) (10.46): The Canberra Liberals will support this reference. I do note from the words of the Manager for Government Business that what he envisages is slightly more, and probably a better review, than that which is reflected in the motion itself. It seems to be about the referral process itself.

I think that there are other aspects of the way that Commissioner for Standards process works. I do not want to reflect on the conduct of the commissioner himself. He has done an exemplary job. But I think we should look at the whole process of the commissioner himself. He has in various reports intimated that he would be interested in being involved in that process.

I think what we should be looking at is something slightly wider than the mere words that are on paper in this motion. I think that perhaps the words spoken by the Manager of Government Business in his remarks are a better reflection of what is needed than the motion itself. That having been said, and understanding that the Standing Committee on Administration and Procedure will have a sort of wider remit than the narrow words here, the opposition supports this reference.

Question resolved in the affirmative.

## **Executive business—precedence**

*Ordered that executive business be called on.*

## **Climate change mitigation**

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (10.48): I move:

That this Assembly:

(1) notes:

- (a) the severe consequences that climate change will have in the ACT—including increased heatwaves and bushfires—and the need for urgent action to mitigate climate change;
  - (b) a vital aspect of climate change mitigation is transitioning away from burning coal and other fossil fuels for electricity generation;
  - (c) the ACT's policies promoting renewable energy are a sound and important response to climate change;
  - (d) renewable energy generation is compatible with energy security in the ACT and Australia, and was not the cause of recent problems with electricity supply; and
  - (e) investment in renewable energy is economically sound and recent analysis shows that building new coal powered generation in Australia would result in substantially higher electricity prices than using a combination of wind, solar and gas;
- (2) reaffirms its commitment to the ACT's climate change mitigation targets of 100 percent electricity generated by renewable sources by 2020; zero net emissions by 2050 at the latest; and 40 percent reduction on 1990 levels of greenhouse gas emissions by 2020; and
- (3) calls on the ACT Government to prioritise actions to mitigate and adapt to climate change, including investing in renewable energy for electricity generation, and reducing the ACT's use of fossil fuels.

This motion is about the ACT's response to climate change. In particular, it asks the Assembly to reaffirm its commitment to strong action on climate change and to our positive renewable energy policies. It asks that the Assembly reject the recent misleading attacks aimed at renewable energy, and at jurisdictions that are leading on renewable energy.

Recent commentary on renewable energy from the federal government has ranged from misinformed and misleading to deliberate falsehoods. Here in the ACT, where we are showing that renewable energy is the way of the future, we should reject these ideological attacks. We have a federal government attempting to poison our climate change progress by spreading what can only be described as mistruths or lies—or perhaps they are “alternative facts”—seemingly in search of some political gain. That is completely unacceptable, and even more outrageous when it concerns an issue as important as climate change.

The ACT Greens say—and I hope other members agree with us, and given the history of this debate in the ACT I think they do—that climate change, and our response to climate change, should be of the highest priority to this Assembly. Climate change is impacting and will continue to impact on all parts of our planet, on the natural environment and on all its inhabitants. Regardless of your particular philosophical view of the world, and of whether you take a big picture view of the world and worry broadly about the preservation of the planet's ecosystems or whether you are focused on raising a family in Canberra and getting the kids to school each day, climate change will impact on your life.

The unfortunate predictions are that the impacts will be much more severe for future generations. Last week's heatwaves are just one example of climate change impacts. Increasingly, we will need to deal with these. Let us talk for a moment about what happens during heatwaves. First of all, people's health suffers. Extreme heat increases the risk of heat illness, exacerbates pre-existing illnesses, and children and the elderly are most at risk. Heatwaves dramatically affect patient presentations. During the heatwave in south-east Australia in 2009, emergency call-outs jumped by 46 per cent; and 374 excess deaths were reported, attributable to the heat. The current prediction for the ACT is that by 2050 heat-related deaths in the ACT will double.

Extended hot and dry weather, of course, increases our bushfire risk. During the recent heatwave we had total fire bans and a severe fire risk. In New South Wales the fire conditions were described by the Rural Fire Service Commissioner as "the worst possible conditions, they are catastrophic—we haven't seen this in New South Wales to this extent, ever," he said. We are always lucky when we escape bushfire threats like these without catastrophe. We were fortunate that lightning strikes that occurred on Saturday evening did not result in fires in the ACT. Our neighbours in New South Wales were not as lucky.

The current prediction is that by 2030 the ACT will face twice the number of fire ban days and extended heatwaves than we do today. Then there are the more day-to-day impacts resulting from heatwaves. Events are cancelled. Last weekend is a testament to this, with sporting events particularly, but a range of other activities across the ACT, being postponed or cancelled. Infrastructure is put under pressure. We have had buses break down due to the extreme heat on previous occasions; roads have started to melt. There is added pressure on government budgets, and there are flow-through difficulties right through the community.

As we saw last week, the heatwaves are putting pressure on the nation's electricity system. For the first time last week we had to put out a call to Canberrans to try to reduce their electricity use during the peak period to try to avoid the possibility of blackouts triggered by demand beyond that which the electricity grid can supply. This leads me to the first of several energy policy myths I would like to address through this motion.

As an Assembly, let us set the record straight on the very deliberate commentary that some politicians are using in an attempt to undermine our efforts on renewable energy. Renewable energy generation—solar and wind—is absolutely compatible with energy security. It is not to blame for supply issues that arose during the heatwave. In an attempt to advance their political agenda, some federal politicians have spread a fiction that renewable energy is responsible for blackouts or load shedding. That is simply false. In fact, as the front pages of newspapers recently showed, FOI documents revealed that the federal government was informed of this fact, yet it continued to try to blame renewable energy.

Several issues led to the supply problems. These have been clearly explained by experts. They are quite complex, and indeed the national electricity market is an extremely complex system. First of all, there was an unprecedented demand for electricity due to the heatwave. We are talking about more demand pressure than ever before. This will only become worse as heatwaves become worse. The nation will need to work out how to deal with this pressure. Importantly, we are not talking about issues with base load power. The problem is with spikes in demand. This is an issue that renewable technologies, such as solar and battery storage, are very effective at responding to. Here in the ACT, in addition to our 100 per cent renewable electricity target, we are rolling out 5,000 batteries across households and businesses: the biggest rollout in the world outside Germany. This will add to system security and make the grid more resilient in the face of system stresses.

Secondly, the national electricity market more broadly needs modernising to improve its resilience and to better integrate and make use of renewable energy technologies. Coal-fired power is on the way out. In fact nine coal-fired power stations have closed since 2012 and more have announced upcoming closures. But the federal government is failing to manage this transition in any kind of orderly way. With its head in the sand, it insists all its eggs go in the coal basket. As a consequence we are seeing failure to make the upgrades to the national energy market that will provide a clean and secure energy future for all Australians.

Thirdly, the national energy market operates under a series of market and regulatory frameworks that, in a perverse outcome, saw blackouts in South Australia even though there was gas generation available on the day. Privately owned generators decided not to operate because gas prices were high and there was not a commercial rationale to do so. Gas prices are high because Australia has several large gas plants that are exporting gas to Asia. The short story is that gas that could provide electricity to Australia is instead being shipped overseas. And meanwhile we have electricity shortfalls. Again, instead of trying to scapegoat renewables, we should be looking at these problematic political decisions about fossil fuels and energy markets.

Renewable energy actually plays a critical role in the supply of electricity and the prevention of blackouts caused by too much demand. In New South Wales it was actually the strong performance of wind and solar that protected the electricity supply. The grid lost more than one gigawatt of capacity of coal-fired power and two big gas-fired generators, Colongra and Tallawarra, stopped generating at the height of the heatwave and supply-demand crisis.

Renewables were there to save the day—and such an irony that is, given what we have seen in the recent discussion. It was renewable technologies like these humble little solar panels, which, in light of recent examples, I think it is important to bring in here, to show that it is not dangerous—

**Mrs Dunne:** Point of order.

**MADAM SPEAKER:** Yes, I was just confirming that, Mrs Dunne.

**Mrs Dunne:** Thank you, Madam Speaker.

**MADAM SPEAKER:** The use of props is not allowed in the chamber.

**Mrs Dunne:** You should know better than that.

**MR RATTENBURY:** Madam Speaker, I did check the *Companion* this morning and it follows the practices of the federal parliament: if it is contextual and considered, it is considered not to be unreasonable. I believe there is a precedent in this chamber.

**MADAM SPEAKER:** Can you sit down for a moment, Mr Rattenbury? The convention is that we have not allowed props in this place. I know there have been stunts by a number of different political parties in other chambers in recent times. I would hope that we would not follow suit. That is my view at the moment. Could you give me a moment to check the *Companion*.

**MR RATTENBURY:** Can we stop the clocks, Madam Speaker?

**MADAM SPEAKER:** Can we stop the clocks. Members, I will come back with a further ruling, but I ask that no props be used. I believe you have made your point, anyway, Mr Rattenbury. Can we start the clocks and come back to the debate.

**MR RATTENBURY:** It was actually the renewable technologies that smoothed out the supply spikes and averted blackouts while the large fossil fuel planets were failing.

Let us talk about another related myth. There is a claim that renewable energy is costly, that it will make electricity expensive and that investment in fossil fuels—coal in particular—is the best way to keep prices low. Again this sketchy claim rapidly unravels with even a cursory look at the evidence. Renewable energy target schemes have some impact on electricity prices but it is minimal. They are offset by savings from energy efficiency improvements achieved through the ACT's energy efficiency improvement scheme.

By using its large-scale feed-in tariff mechanism, which is helping us to achieve our 100 per cent renewables target, the ACT has provided long-term certainty and protected electricity consumers from further price rises into the future. As an example, the closure of Hazelwood Power Station is expected to create price rises. But in the ACT our large-scale renewables policies will mitigate this and save the average ACT household around \$125 per annum by 2020, compared to other interstate consumers.

Members may also be aware that because of our large-scale feed-in tariff arrangement, also called a contract for difference, there are periods when our renewable energy generators actually pay money back to the ACT through ActewAGL. This is passed on as savings to consumers in the ACT. While electricity spikes will cause higher prices for electricity consumers in other jurisdictions, in the ACT our consumers will benefit from a stable price. These electricity supply spikes will only worsen due to climate change. I urge members to think about this every time they hear some

politician try to pretend that renewable energy is bad for consumers and electricity prices. The reverse is in fact true, and it is worth telling them about the situation in the ACT and what can be done.

I want to talk about coal for a moment because it is certainly in the political zeitgeist, prompted especially by the recent pronouncements by the Prime Minister that we would need to have more coal in the future. Of course, we had the lump of lacquered coal being passed around in parliament. This act was particularly odious, knowing that burning coal and fossil fuels is the primary contributor to climate change. At the same moment the east coast of Australia was suffering through a record breaking heatwave. The heat caused people to become sick and infrastructure to fail, including, ironically, coal-fired power plants whose cooling systems can fail in extreme heat.

Clive Hamilton commented on the offensive nature of this “coal lump lovefest” by saying:

... for some people, there are desires more urgent and goals more grand than that of protecting others, and their own families, from plunging into dark and dangerous times. The glory and self-satisfaction of defeating one's enemy, for instance.

How sad it is when these are the values of some of our elected representatives. Doubling down on his politics, the Prime Minister has even said that Australia should be building new coal-fired power plants, potentially subsidised by the Australian taxpayer. Not only is this a disastrous outcome for climate change, because the science clearly tells us that burning new coal reserves is incompatible with our goal of preventing catastrophic global warming, but it is economically irresponsible. Research from the University of Melbourne shows that new coal plants aimed at reducing emissions would cost \$62 billion, while the cost of using renewables would be about half the cost. To pour taxpayer money into this coal infrastructure, contrary to the clear evidence that it is both inordinately expensive and toxic to our efforts to combat climate change, really is a disgrace.

To conclude, I will briefly reiterate the action occurring in the ACT which I recently outlined to the Assembly in a ministerial statement. We in the ACT are making good efforts on climate change mitigation. We are looking at what the science says and we are responding with appropriate emissions reduction targets. We have a target of 100 per cent renewable electricity to be generated by renewable sources by 2020. We have our target of a 40 per cent reduction on 1990 levels of greenhouse gas emissions by 2020. And we are going to meet our 100 per cent target; our contracts are locked in. We have the Hornsdale Wind Farm coming online today, and we will be reaching the point where one-third of our electricity is already coming from renewable sources. We are leading the way nationally, and this is what we need to do when the federal government is not providing the clear policy direction that the country needs.

Although I say that we are leading the way in the ACT, we actually have a serious amount of work to do. We have set off in the right direction, but we still have most of the race to run. The next step is to develop and implement a plan to reach zero net emissions by 2050 at the latest. Again this is what the science tells us we need to do.

This pathway to zero net emissions must be a top priority for this government and this Assembly. It requires us to work together. It requires reform in many challenging areas, including transport, the built environment, waste and gas. It will require investment, reforms in government, and acceptance and efforts in the community.

As far as I am aware, all of these targets have the support of the community. I urge members to support this motion and reaffirm that we are determined to make a difference here in the ACT, to do our part and to work together to deliver what the science tells us we need to be doing.

**MS LEE** (Kurrajong) (11.04): I welcome the opportunity to speak to the motion brought on for debate by ACT Greens leader and minister in the Barr government, Mr Rattenbury. Madam Speaker, the ACT has a strong record of embracing modern technology and sustainable practices across a number of areas. From our early development we have been universally known as the bush capital, and that reputation plays an important part in our tourism campaigns which help promote Canberra to a wider demographic. And, most importantly, it is an integral part of what defines our identity in Australia and beyond.

The pioneering planning work done by Walter Burley Griffin and Marion Mahony Griffin set out a modern city that would balance sustainability and livability well into the future. Over 100 years later we see the value in that investment and their vision has been well proven. Our early pine plantings around the ridges, our transport corridors, our national parks have all contributed to our image as one of the world's most livable cities.

Uniquely among Australian cities, we have first-class lifestyle choices: wonderful walking and equestrian trails, an extensive bicycling network, as the minister probably is very familiar with, the centennial trail and walking trail. The National Botanic Gardens, the more recently established National Arboretum and the significant number of national parks and our management of endangered species—all of them contribute to make Canberra a desirable place to visit and live. I note also that much of this environmental focus in our bush capital was well established before the formation of the ACT Greens as a political party here in our national capital.

The Canberra Liberals have a long, proud history of commitment to renewable energy. In 1997 the then minister for the environment, Gary Humphries, announced that the ACT government would work towards reducing the territory's greenhouse gas emissions by 20 per cent below the 1990 levels by 2018—at that time, an ambitious and bold step. In the last Assembly the Canberra Liberals formed part of the tripartisan support for the current targets of 100 per cent renewable energy and reduction of 1990 levels of emissions by 2020 and zero net emissions by 2050. I am proud to stand here today to reaffirm our commitment to these targets. This probably comes as no surprise as it was likely a clear and obvious progression, given our size and natural predisposition to the protection and love of our natural environment and the ACT's tendency to embrace new technology and sustainable practices in the area.

Our size makes us a highly suitable candidate for success in this space and in fact we have proven so by having some of the most ambitious targets to combat climate

change, which has led the ACT to become a leader in this area. There may, however, be times when our very limited size and physical location entirely within another state will impact on our capacity to achieve our goals.

The ACT is connected to the national energy grid which runs from Queensland, through the eastern states to Tasmania and South Australia. The Environment, Planning and Sustainable Development Directorate advises that the location of renewable energy supply needed to reach the ACT is not critical to security of supply.

Currently there are eight solar and wind farms listed within the national electricity market and available to the ACT but only one of those eight, the Mugga Lane solar farm, lies within the ACT's boundaries while two others, Royalla solar and Williamsdale solar, are just outside the border. I note—and the minister referred to this as well—that on Facebook this morning the Environment, Planning and Sustainable Development Directorate stated that we have reached 35 per cent of renewable electricity with wind power from the Hornsdale Wind Farm.

Their locations would suggest they will be the primary source of renewable energy for the ACT. However, there are questions around the fact that none of them has the capacity for battery storage. The absence of batteries in the sustainability mix to date has raised concerns about supply during extended non-sunny periods, night-time and rainy weather and also concerns about hot days with no wind.

Overseas experience suggests some issues with longevity, cost and effectiveness of some wind farm models and there are reports that many wind farms have become unviable and are being removed. In Denmark, for example, plans to build five offshore wind power farms were abandoned amid fears that the electricity produced there would be too expensive for the average consumer. The Danish government would have had to pay over \$10 billion to buy electricity from the five wind farms—a price deemed too expensive for consumers who already face some of the highest electricity prices in Europe. Climate change minister Lars Christian Lilleholt stated:

Since 2012...the cost of our renewable policy has increased dramatically...[w]e can't accept this, as the private sector and households are paying far too much. Denmark's renewable policy has turned out to be too expensive.

Recent media reports stated, *inter alia*:

Denmark gets about 40 per cent of its electricity from wind power and has a goal of getting half of its electricity from wind by 2020. But that goal has come up against a stronger prevailing headwind: high energy prices.

Danes have paid billions in taxes and fees to support wind turbines, which has caused electricity prices to skyrocket even as the price of actual electricity has decreased. Now, green taxes make up 66 per cent of Danish electricity bills. Only 15 per cent of electricity bills went to energy generation.

I am in no way stating that the ACT experience is reflecting, should or will reflect the Danish experience but the Assembly needs to be mindful of having all available knowledge and experiences to ensure that we can make an informed decision on how we progress to our goal.

In turning to the various notes contained in Minister Rattenbury's motion, I raise for debate some of the content and language that Minister Rattenbury has chosen in formulating his motion. I have no issue with Minister Rattenbury's assertion that climate change has an impact on our atmospheric activity including heatwaves and risk of bushfires. I do, however, put clearly into perspective that there are a number of other causes for the bushfires. Climate change is one, not the, factor that causes them.

Minister Rattenbury's assertions of severe consequences and the need for urgent action are emotive words designed to play on the memory of Canberrans who very well know the devastating impacts of the 2003 bushfires. The report of inquiry into the 2003 bushfires states, as one example, that the ACT could have done better to manage reduction in fuel loads. Given the size and location of ACT pine forests, they will always be a fuel risk and will have a serious impact in terms of the size and intensity of any fire. Their location within water catchment areas, near homes and on slopes all contribute.

Despite the experience of 2003 many pines have grown back and, as at January this year, 1,000 hectares were awaiting clearing. Moving to a different energy source alone will not reduce the risk. As at January this year, it has been reported that many pines have grown back and pose a significant threat because of their high fire danger. It is also estimated by the ACT Parks fire management office that there were almost 1,000 hectares of land left to clear over the 10-year life of the clearing plan.

If we do not get a more timely and effective management plan, with or without increased climate change impacts, we will face major fire threats. And I suspect that when it is your home in the path of a bushfire you are probably not going to be particularly focused on whether the threat you face is caused or not, as the case may be, by excessive climate change impacts.

Here and elsewhere in Australia and internationally there is a clear realisation and acceptance that if we indeed do not wish to threaten valuable farmlands by opening up more coal mines we must look to other energy sources. Having recognised the need for a range of alternative energy sources—and in this regard, I bring the Assembly's attention to the fact that the Canberra Liberals committed to the same targets in the last Assembly and today my colleagues and I reaffirm our commitment to these targets—our next focus must be on the reliability of supply and at what cost. It is the role of responsible government to do no less. Recent events have demonstrated how vulnerable we are when power supply is not reliable and readily available for amenity, for health outcomes, for safety and for public confidence to encourage the welcome acceptance of renewable energy sources as a long-term, responsible response to our adapting climate.

Minister Rattenbury notes, as a given, that renewable energy generation is compatible with energy security. However, only earlier this week in response to a question I asked in question time, the minister acknowledged that there are concerns about the ability of power stations in New South Wales to offer continuous supply to the ACT and that this contributed to the power outages Canberrans experienced over the weekend. The minister's response is at odds with statements on ACT government websites such as:

We source our energy from generators located across eastern and southern Australia. This means the Territory won't have any concerns about future supply reliability.

That is not to say that our transition to renewable energy was the cause of those blackouts. I say that.

Minister Rattenbury also suggests that investment in renewable energy is economically sound. I acknowledge Ms Le Couteur's comments yesterday. Our commitment to 100 per cent renewable energy has been good for our local economy, has seen growth in the renewable energy technology sector resulting in a \$500 million investment in the local economy, with jobs in the sector growing at 12 times the rate of anywhere else in Australia.

The Canberra Liberals welcome any sector which contributes to a strong, healthy economy. However, this must be balanced with family economy. Is the ACT at risk of putting so much support on growing the sector that we create an electricity market that is too expensive for the everyday Canberran? I do not ask this question as a rhetorical one, nor do I ask it because I know the answer. I ask it because the government is failing to do so.

I stated earlier that our proud badge as the bush capital is something that defines us. One of the crucial factors that make us the bush capital is our size. Although we are growing every day, by 5,000 people per year as the Chief Minister keeps reminding us, we need to be mindful of our place in Australia and on the international stage.

The ACT proportion of power consumption in Australia is very small and there is genuine concern that our frenetic pace to achieve our targets will place an unfair burden on those Canberrans that can afford it the least. The ACT government has itself stated that approximately \$290 will be added to our electricity prices, in a city where cost of living is already at a premium with rates foreshadowed to continue to rise into the future.

High electricity prices, increasingly affordable solar PV and battery systems and the desire to be more energy self-sufficient will drive many Australian households to take up battery storage. Over 1.4 million Australian households are already using solar to control their electricity bills, and Australia's solar PV systems are among the most affordable in the world. The ACT has proudly held itself out to be the solar capital of Australia. The solar PV report of March 2015 states:

In all Australian capital cities except Canberra, solar PV systems have already reached "grid parity". This means that the cost of energy (per kWh) for installing a solar PV system is equal to or below the standard cost of electricity from the grid ...

I acknowledge that the ACT government is investing in battery storage innovation with the rollout of the \$25 million next generation renewables energy storage grants program. However, the questions about the physical size for adequate storage required for an average household have not yet been resolved; so we can only speculate what

work will need to be done to supply reliable and sufficient storage capacity for the territory.

Minister Rattenbury signed up to a commitment to “identify and prioritise actions to mitigate and adapt to climate change” at the UN conference in Marrakech in December last year when the ACT became one of 17 states or regions and 19 countries to sign up to the 2050 pathway platform. The pathway platform will support countries, governments and businesses to develop long-term strategies to work towards zero greenhouse gas emissions by 2050, including by setting interim targets to help get there. Minister Rattenbury was quoted at the time as saying:

The United Nations climate conference in Marrakech has made it clear that we must not wait for the leadership of others. The ACT does not need to wait for the Federal Government to show leadership. States, regions and cities can work together and learn from each other to take urgent action to tackle global warming right now.

As I stated earlier, commitment to those targets is also supported by my colleagues on this side of the chamber. We are also proud that the ACT has been a world leader in this goal. We need to ensure, however, that the commitment Minister Rattenbury signed us up to is more than an aspirational goal.

The challenge before us now is not whether we should take action or not to tackle climate change, the challenge before us now is how we get there. The Canberra community has the right to expect that their government will consider an evidence-based approach in developing plans to move forward. The Canberra community has the right to expect that their government will and must include, in its plans, a guarantee of reliability of electricity supply and affordability for everyday Canberrans.

Will the minister reassure our community that the ACT government will develop a serious plan to take action to tackle climate change? Will the minister reassure our community that the ACT government will take seriously the concerns of energy security and reliability of supply? Will the minister reassure our community that the ACT government will ensure, as a matter of priority, the affordability of our transition to renewable energy because Canberra families should not be forced to choose between food and electricity?

If we, as a city, are serious about tackling climate change there are practical considerations we need to factor in. It cannot be a renewable future at all costs. If we, as a city, are serious about sustainability we need to ensure that we are moving toward a true sustainable future. A true sustainable future includes environmental, economic and social sustainability. If we cannot be confident in that then it will just remain an aspirational goal.

I call on the government to implement actions for a wholly sustainable future for all Canberrans. Given that, I move the amendment in my name on behalf of the Canberra Liberals:

Omit all words after “That this Assembly”, substitute:

“(1) notes:

- (a) there are consequences that climate change will have in the ACT and there is a need for action to mitigate climate change; and
  - (b) the ACT’s commitment to renewable energy as an important response to climate change;
- (2) reaffirms its commitment to the ACT’s climate change mitigation targets of 100 percent electricity generated by renewable sources by 2020, zero net emissions by 2050 at the latest, and 40 percent reduction on 1990 levels of greenhouse gas emissions by 2020; and
- (3) calls on the ACT Government to implement actions to mitigate and adapt to climate change factoring in reliability of electricity supply and affordability of power for all Canberrans.”.

**MR GENTLEMAN** (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (11.18): I thank Mr Rattenbury for his important motion today. I want to discuss the impacts that climate change is having on the ACT, the work we are doing to combat and adapt to climate change, including our 100 per cent renewable electricity target, and the need for stronger action from the federal government on climate change. I am pleased by how progressive the ACT has been in responding to the challenges of climate change and that we continue to be recognised nationally and internationally as a leader in the transition to a clean and sustainable economy.

Responding adequately and promptly to climate change is essential if we are to ensure that our way of life is available to future generations of Australians. Climate change is affecting our communities, our economy and the environment. Projected climate change impacts for the ACT include more heatwaves, changed rainfall patterns—with more frequent droughts and more high intensity rainfall events—and increased bushfire risk, with more days of high fire danger. With climate change, the events that the ACT experienced last Friday, with the stresses on the New South Wales electricity grid and record high electricity demand, are going to be a regular occurrence.

The ACT is responding to this threat by rapidly reducing emissions, preparing for climate change impacts and planning for zero emissions in the future. Responding now with a proactive approach will reduce our contribution to the problem of climate change and make our communities more resilient to its impacts. Taking action now is not only the most cost-effective and low-risk approach but also the way we can create new opportunities for businesses by growing the knowledge economy and encouraging an early transition to a zero net emissions economy.

A 2016 Climate Council report on bushfire threat to the ACT highlighted just some of the severe impacts of climate change. The report showed that recent severe fires in New South Wales and the ACT were influenced by record hot, dry conditions. The economic costs of New South Wales and ACT bushfires were estimated at

approximately \$100 million per year. By around the middle of the century these costs are predicted to more than double.

We have experienced extreme conditions over the past few weeks, with record temperatures and catastrophic bushfire conditions across most of New South Wales, with a number of fires threatening major centres. Thankfully, as we speak, most of these fires have been brought under control. We have also seen emergency plans activated in regard to our electricity supply, as heatwaves across New South Wales and the ACT resulted in record high electricity demand while also creating problems for energy generation. At this time New South Wales and the ACT were at risk of rolling blackouts as supply from traditional coal and gas-fired generators was barely enough to meet demand.

One of the reasons this blackout did not occur was the collective efforts from our community and industry to reduce electricity consumption. I take this opportunity to thank for their efforts those in the community that reduced their energy use. Electricity generation by well over 300,000 households and businesses with solar panels in the ACT-New South Wales region played a key role in avoiding a blackout. Early indications are that voluntary reductions in electricity demand equated to around 300 megawatts across the ACT and New South Wales, around the size of a small to medium sized coal-fired power station. Without this support, the demand on the grid would have been even higher.

In recent months renewables have been blamed for blackouts, as we saw in South Australia, or when the traditional grid is simply unable to cope with high demand, as we saw last weekend. It is important to note that renewable electricity was not the cause of these events and that the federal government is continuing to play politics with our electricity system. Increased diversity of generation sources, such as wind, solar or any other source, generally increases the resilience of the grid.

The ACT government's battery rollout in 5,000 households and businesses will play a significant role in reducing demand on the ACT's electricity system. Those households with rooftop solar, battery storage, and increasingly electric vehicles, will be far more resilient in the face of climate change. The ACT's energy efficiency improvement scheme is also playing an important role for households and businesses in increasing energy efficiency and therefore reducing energy demand. Over 70,000 households in the ACT have already participated in this system.

Necessary action to limit global warming to less than two degrees Celsius was agreed at the UN climate conference in Paris in 2015 and again supported in Marrakech in 2016. Australia ratified the Paris climate agreement in November 2016, joining 175 nations committed to keeping global average temperature increase to well below two degrees Celsius.

Through ongoing and overwhelming support from the Canberra community, the ACT is on track to achieve its ambitious carbon emissions reduction targets. By 2020 the ACT will have reduced its total emissions by 40 per cent from 1990 levels, and will be powered by 100 per cent renewable energy. As outlined in the parliamentary agreement signed between ACT Labor and the Greens, the ACT is

committed to achieving net zero emissions by 2050 at the latest and setting firm interim targets to get us there.

The ACT government has been, and continues to be, a strong supporter of renewable electricity, placing us in the lead both nationally and internationally. But we have an even bigger vision for our territory to be an export-oriented hub for renewable energy innovation to drive the development of a more diverse, creative and vibrant ACT economy.

Our renewables reverse auction process is delivering renewable electricity to ACT households at record low feed-in tariff prices. But it is also delivering much more to the Canberra community. It is creating new research opportunities in battery storage and integration at the ANU, and new trades training programs related to renewable energy at the Canberra Institute of Technology. It is attracting national and international companies to the ACT. We have attracted over \$1.5 billion in renewable energy investment and achieved a 400 per cent growth in renewable energy jobs over five years.

The ACT's experience clearly demonstrates the economic benefits offered by the transition to renewable electricity. Encouraging innovation in the renewable electricity sector provides long-term benefits for our local economy and provides a clean, reliable power supply for the ACT. According to Bloomberg New Energy Finance, a respected energy industry analyst, the electricity price needed to make a new coal-fired power plant economically viable is likely to be over \$135 per megawatt hour. Prices for some recent renewable energy projects in Australia have achieved around \$70 to \$80 per megawatt hour. Renewable electricity is not only cheaper but also continues to reduce its price as technology continues to advance rapidly.

The chief executive of the Clean Energy Finance Corporation, Oliver Yates, recently stated that the investment case for new coal-powered investment was "seriously challenged" because the price of renewables was declining; therefore there was "no point" in building new coal stations that were likely to provide electricity at a higher price.

However, the Australian government continues to support polluting projects like the Adani Carmichael coal mine. The extraction and burning of coal from this mine would produce over 4.7 billion tonnes of greenhouse gases. We have also recently heard from the Prime Minister that the federal government will subsidise clean coal-fired power generation. The Australian government's actions are not only inconsistent with the science but also utterly in conflict with their own commitments under the Paris climate agreement and also inconsistent with the findings of the draft Finkel report into the security of Australia's energy system.

There is a national climate policy review being undertaken in 2017. The ACT government will work to influence the outcomes of this review and ensure it leads to more ambitious action on climate change and contributes to a stronger nationally coherent climate policy framework, as well as a resilient future for us all. In the absence of national action, smaller jurisdictions—cities, states and regions—will

continue to fill the national policy vacuum and do the heavy lifting to address the challenges of climate change.

The government will not be able to support the amendment circulated and moved by Ms Lee. It removes the urgency of the motion and the actions needed to prepare the ACT for severe weather events and, of course, the acknowledgement that a vital aspect of climate change mitigation is transition away from burning coal and other fossil fuels for electricity generation.

Madam Speaker, in closing, the ACT can be proud of its actions on climate change. We are leading the way and have made remarkable progress in recent years. Given the severe consequences that climate change will have both in the ACT and globally, I support efforts to rapidly reduce emissions and prepare our infrastructure and community to be resilient to the impacts of climate change.

**MR PETTERSSON (Yerrabi) (11.29):** This government has much to be proud of in combating the challenge of human-induced climate change. We are global leaders in a global problem. Addressing climate change requires all of us to act—it is a shared responsibility—individuals, households, schools, business and government. This ACT government is moving forward with the technology of the future. We will have 100 per cent renewable energy by 2020.

The ACT government is innovative in achieving our renewable energy targets, with cutting edge market initiatives like reverse auctions, in which energy providers compete to offer the lowest cost. We will secure savings for Canberrans, invest in renewable technology and create economic incentives for the production of cheap power. I am very proud to be part of a government that is committed to a 40 per cent reduction in greenhouse gas emissions by 2020. We are similarly committed to zero net emissions by 2050 at the latest—another critical goal.

It would be remiss of me not to comment upon the heatwave that struck Canberra, and Australia more broadly, on the weekend just past. We are seeing the impact of a warming climate already. The threat of bushfires, droughts, heatwaves, storms and flash flooding are directly correlated to the global climate.

Climate change is already wreaking havoc on our planet. To deal with global inaction, the ACT government is taking action to protect the wellbeing and property of Canberrans. We will have to expand regulatory settings on bushfire risk, expand emergency services, upgrade capital works to maintain them through harsher climates, provide proper heat mitigation assets—more shade and drinking fountains to cope with heat stress—new building regulation for residential and commercial buildings that reflect the new, higher standards required in extreme heat, as well as protecting ecosystems facing new stresses.

Ultimately, we must take action to reduce our vulnerability to extreme weather and, in doing so, increase our resilience with proactive steps. These weather conditions, and the strain they put on our electricity network and our community, are only going to happen more often.

Colleagues, I have spoken about the importance of transitioning to a clean energy future. But what is just as important is that the transition does not leave people behind. Transitioning towards clean energy is necessary for the sustainability of our world, but making sure we do a transition that is just is necessary for our communities.

A just transition acknowledges that both people and the environment are important. A just transition recognises that the cost of change does not solely fall on the most vulnerable in our communities. A just transition recognises that we as a society have a responsibility to look after those who are affected by circumstances outside their control.

It is possible to move towards a cleaner future that has economic and social justice at its core. We have seen examples of this overseas. The German coal mining industry, for example, has seen a rapid transition since the 1990s, with the number of jobs in the sector declining by upwards of 100,000. As mining operations closed, workers were redeployed to other operations throughout the country. If workers wished to leave the industry altogether, they were offered training opportunities before their retrenchment, assisting them to find ongoing work.

Through cooperation between government, employers and unions, Germany has been able to move to renewable sources of energy without leaving workers behind. A person losing their job is never something to be celebrated, regardless of what industry they work in. The closure of Hazelwood power station will likely see hundreds of people lose their jobs. This is not something to cheer. This is something that tells us we need to act. This is something that tells us we need a national plan to ensure a just transition for workers.

**MS ORR** (Yerrabi) (11.33): I rise to speak in support of this motion. I thank Mr Rattenbury for putting such an important motion before the Assembly. The ACT Labor-Greens government has led the way on this issue, despite what the Liberals might say is a backward approach. The ACT leads the nation in reaching our 100 per cent—

**Mrs Dunne**: Did you listen to what she said?

**MS ORR**: No, I stumbled my words, Vicki. You were right to say—

**Mrs Dunne**: Did you listen to what she said? She did not criticise you at all.

**MS ORR**: I would like to thank Ms Lee for pointing out that once—

**MADAM SPEAKER**: Members, there is to be no interjection across the chamber.

**MS ORR**: The ACT leads the nation in reaching our 100 per cent renewable energy target by 2020. This will ensure that Canberrans will continue to have access to a reliable and affordable electricity supply. This policy will significantly reduce our greenhouse gas emissions and do our bit to mitigate future climate change.

The ACT government energy efficiency programs are helping businesses, residents and government departments to reduce their energy usage. Education, research and specific programs to support transitioning to more efficient systems and buildings are being implemented across the territory.

The next largest source of greenhouse gas emissions in the ACT is the transport sector. The ACT government is making progress to reduce emissions in this sector by building a better integrated transport system, encouraging more active travel, and putting in place policies to help drivers shift towards low emission vehicles.

However, reducing greenhouse gas emissions is only half the task. Climate change impacts are already being felt. The recent record-breaking heatwaves across the country and in the ACT show this. Predictions show that the ACT will continue to warm by about 0.7 degrees in the near future, increasing to about two degrees in the far future. The number of hot days is expected to increase to an average of up to 20 extra heatwave days in the next 50 years.

Temperature extremes, both hot and cold, can have considerable impacts on health, infrastructure and ecosystems. These extremes are already occurring to our environment and we need a plan on how to adapt. The ACT government is taking a coordinated, whole-of-government approach to increase our resilience to the impacts of climate change.

In 2012 the ACT government completed an assessment of the potential risks of climate change to territory life and property. In the ACT, the greatest risk to life comes from extreme heat, severe storm and bushfires. This work has been integrated into natural disaster and emergency risk management and planning. Heat-related deaths do not attract the media attention that bushfires do, but they kill more Australians than any other extreme weather event.

We have extreme heat plans that seek to improve our ability to respond to these events, and the ACT Ambulance Service is the front-line responder to this impact. Our government is implementing planning and environment strategies to help our city adapt to a more extreme climate. We are protecting and expanding our living infrastructure, making Canberra a more sustainable city for all its residents.

The ACT government released the climate adaption strategy in July 2016. It examined how living infrastructure, including the urban forest, contributed towards keeping our urban spaces cooler, by reducing the heat island effect that tends to occur in urban spaces. Importantly, Canberra, as the bush capital, is uniquely placed for resilience to a warming climate. Our city has abundant opportunities for green spaces and living infrastructure. The progression of these initiatives and our transition to renewable energy are integral to our future. The importance of climate change mitigation and adaptation policies cannot be overstated. I strongly commend this motion to the Assembly.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (11.36): I will speak to Ms Lee's amendment and close the debate in the absence of any other speakers. I thank Minister Gentleman and colleagues from the ALP backbench for their comments on this matter. There are some important comments to be discussed here. As I outlined in my remarks, there are serious policy discussions here that need good evidence and they need to be worked through in a way that is about providing a stable, secure energy supplier for our community whilst at the same time acting on the very clear scientific advice that has been presented to us on the necessity of taking action.

I was surprised by some of the remarks from Ms Lee in the debate. I would like to think it was a misunderstanding rather than a deliberate misinterpretation of my words, but I am certainly not asserting that climate change is the only cause of bushfires; that is evidently not the case. However, all the modelling from the CSIRO and others that have looked at localised impacts indicates that these things will become more severe, the risk will increase, and the intensity will potentially increase under future scenarios of a hotter and drier climate. Yes, bushfires will be caused by a range of things, but the risk to our city and people in the rural areas of the ACT will be exacerbated by a hotter and drier climate, which is what the modelling predicts. That is the point I was making in my motion.

In terms of the cost issues, I am confused by Ms Lee's comments in the sense that she said we need to make sure it is not too expensive and that she did not know the answer. But she then went on to cite the cost later in her speech where she said that the cost of the ACT's 100 per cent target is \$290 per annum. That is a known and stated fact. The government has been upfront about it, and it is being offset for many households by the energy efficient improvement schemes which will make commensurate if not greater savings over a sustained period.

We need to be mindful of the fact that there have been significant increases in energy prices in recent years that have not been caused by renewables but by other issues. Ms Lee's is a very simplistic response, and this is where we need to be more nuanced in how we think about this.

We also need to be mindful of saying that the closure of the Hazelwood coal-fired power station, as I touched on in my speech, will push electricity prices up substantially in the absence of a clearly coordinated plan to replace that loss of supply. If the closure of Hazelwood is an issue we have to consider, the question then becomes what we are replacing it with. Again, good economic analysis shows that building these so-called—and I use the word "so-called" very deliberately—clean coal-fired power stations is more expensive than renewables, the cost of renewables has come down so much. In terms of future energy costs, the evidence seems clear.

We have got issues where we need to work on the reliability of the grid. All sorts of different versions have been put around. The cool headed in the debate point to the fact that there are issues in places like South Australia where old systems have not adapted to new energy. We need to work to make the system more reliable in the

future. That work needs to be done at a state level, it needs to be done at a territory level, and it needs to be done in cooperation between the states and the territories and the commonwealth. That work must be done though. We cannot stick our heads in the sand and think that somehow it is going to go away.

In terms of what I believe were the rhetorical questions put to me, yes, we have a plan to make the ACT sustainable. As I flagged in my speech today we need to start working on our plan to get to a zero net emission profile for the ACT by 2050 at the latest. I have been very clear about the fact that we are about to start public consultation on that. It is very important that we engage the community in that discussion because the sectors that remain in terms of addressing our emissions are going to be harder to address.

Electricity has been a substantial piece of policy work but technically relatively straightforward. There has been great work but, to some extent, it has been the easier work. Where it gets harder is dealing with things like our transport emissions, waste emissions, emissions from manufacturing and things like that. That is going to be a tricky area. I assure the Assembly that we will be undertaking extensive community discussions through the course of this year to help us explain to the community why it needs to be done, what some of the options are and then seek their feedback on the best options and how we most effectively get to the place we need to.

I have written to members of this place suggesting that we might have an Assembly inquiry to look at these questions. That is an option that exists for this place, that is, to examine some of those questions very closely. I am not aware yet of members' views on that; I wrote only about a week or two ago. But that is a discussion that is there for us to have as well as to how we want to collectively discuss these challenging questions.

There were also rhetorical questions on reliability and affordability. I can ensure members this government is committed to ensuring that we have a reliable and affordable electricity supply in this territory. There are many ways to achieve that, and that is probably where the debate lies. But that reliability and affordability will come through a range of measures, including demand-side reduction, supply, the types of supply, and how the grid is dealt with over the coming years in terms of infrastructure, software and the like. Work needs to be done, but it is evident that we can achieve reliability and affordability as well as the good environmental outcomes that we know our community wants.

I thank members for their support of the motion. I will not be supporting the amendment brought forward by Ms Lee. I simply do not agree that it is appropriate to remove words like "urgency", because this is an urgent matter. We have been told that we are getting very close to the planet's carbon budget and that we need to urgently turn things around. If needed, I can name a range of scientists and a range of papers that are telling us that. I am happy to share those papers with colleagues in the chamber if anybody wishes to see them.

I do not agree with removing notions that we need to transition away from burning coal and other fossil fuels for electricity generation. It is patently clear we need to do

that, and we need to do it an orderly and sensible way. But we need to do it, and so I cannot support the removal of those sorts of sentences from the motion. I look forward to continuing this discussion. I look forward to working with colleagues as we develop a pathway to zero net emissions. I commend my motion to the Assembly.

Question put:

That the amendment be agreed to.

The Assembly voted—

Ayes 10

Noes 13

Mr Coe	Mr Milligan	Mr Barr	Ms Le Couteur
Mrs Dunne	Mr Parton	Ms Berry	Ms Orr
Mr Hanson	Mr Wall	Ms Burch	Mr Pettersson
Mrs Jones		Ms Cheyne	Mr Ramsay
Mrs Kikkert		Ms Cody	Mr Rattenbury
Ms Lawder		Ms Fitzharris	Mr Steel
Ms Lee		Mr Gentleman	

Question resolved in the negative.

Motion agreed to.

## **Estimates 2017-2018—Select Committee Membership**

**MADAM SPEAKER:** I have been notified in writing of the following nominations for membership of a Select Committee on Estimates 2017-2018: Ms Cody, Mr Coe, Ms Le Couteur, Mr Pettersson and Mr Wall.

Motion (by **Mr Gentleman**) agreed to:

That the Members so nominated be appointed as members of the Select Committee on Estimates 2017-2018.

## **Standing orders—suspension**

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (11.49): I move:

That so much of the standing orders be suspended as would prevent order of the day No 1, Executive business—Crimes Legislation Amendment Bill 2017, being determined this sitting.

As I flagged on Tuesday when I introduced this bill, the intent was to debate it today because of the urgency of dealing with this matter. As I also indicated on Tuesday, it is regrettable that this bill needs to come forward in this way, but there has been an administrative error, and the sooner that is sorted out the better.

I noted the comments from the scrutiny committee this morning. I thank the scrutiny committee for considering this bill in such a timely manner. I acknowledge the short time frame they were subjected to and that it is not ideal. I assure the scrutiny committee that from my point of view that must be the exception and not the norm. I acknowledge that timing issue, and I will speak to the substance of the committee's comments when we come to the debate should this motion be agreed to.

Question resolved in the affirmative, with the concurrence of an absolute majority.

## **Crimes Legislation Amendment Bill 2017**

Debate resumed from 14 February 2017, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

**MRS JONES** (Murrumbidgee) (11.51): I stand today to speak to the Crimes Legislation Amendment Bill 2017. I understand that this bill retrospectively delegates functions of the Director-General of the JACS Directorate in relation to intensive correction orders to appropriate ACT Corrective Services staff. These are the staff who have responsibility for supervising offenders on intensive correction orders.

Because the minister did not know about this issue in a timely manner, there are offenders serving on ICOs who were under the direction of JACS staff who did not have the suitable authority. These JACS staff members were acting outside their scope. Some of the directions given on the intensive corrections orders include for drug tests and urine samples, all of which could be characterised as an invasion of one's privacy if not authorised. These tests, for many offenders, ensure that offenders are compliant with the conditions of their sentence.

The question has to be asked: what impact would not passing this bill today have on corrections staff, on waiting a month, and on those on intensive corrections orders, which would have been the normal practice of this place? What would be the ramification for offenders who had tests administered on them by staff without the delegation to administer such tests?

There is no doubt that if an offender had not met the requirements of their intensive correction order by not undertaking the conditions of their sentence, had turned up a few months late, had said, "Look, it is just an administrative oversight that I was not here on time," do you think that they would be given the same kind of leeway that we are affording the minister today? I do not think so. There would be a serious repercussion for them. They cannot just come in here and sweep that kind of a mess up. However, as a result of the minister's incompetence, we have seen a situation where a number of JACS staff have been left operating outside the lawful delegation, and the minister has left those in his directorate somewhat exposed.

I was pleased to receive a last-minute briefing last Friday from the JACS Directorate, and I thank the minister for arranging it. However, I have not been able to completely ascertain all impacts of this debacle on the directorate or on those on intensive corrections orders, and thus questions remain.

We will just say that the minister did not notice that the delegations had not been made, that it was an oversight. But what if those on intensive corrections orders forgot to comply with the conditions of their orders? “I forgot” or “It was an oversight” would not be accepted. The whole situation is greatly concerning.

I am concerned about the financial implications for the ACT if those on intensive corrections orders were to take action against the government. I guess that is why we have agreed to debate this today. I am concerned about the legal ramifications for corrections staff and those on intensive corrections orders who feel as though they have been left with their pants down.

Experience tells me that there will be no apology from Minister Rattenbury. He would have much preferred to slip this through the back door and hope the incident went unnoticed. Instead, the minister will try to explain himself out of it—this significant mismanagement.

Given the efforts that the scrutiny committee has put into researching and providing legal advice at the last minute on what was presented to the committee as an urgent piece of legislation, we will support the bill. However, the more I think about this, the more it becomes apparent that this is all about the minister saving public profile. While I see it as necessary that those who are working in the directorate know that they are operating with the full support of this place, it must be pointed out that the damage has been done. According to this new bill, close to 200 JACS staff have been administering intensive corrections orders without the correct authority to do so.

We raise a number of concerns regarding how the government has again found itself making legislation on the run and not using due process. This is the third such occurrence of this just this week.

Here in the ACT, we are a unicameral system, a single-chamber parliament, and the scrutiny committee provides the Assembly with the only oversight of legislation external to the government which has no political drive. It is the only check and balance, and must be used appropriately. The committee examines all bills and subordinate legislation presented to the Assembly. These traditions have been adopted without exception by all scrutiny committees in Australia. Non-partisan, non-policy scrutiny allows the committee to help the Assembly to pass into law acts and subordinate legislation which comply with the ideals set up in the terms of reference.

It takes only 14 days for bills to go through the scrutiny committee—sometimes in a much shorter time frame, as has been shown this week. If this were to be dealt with in the next sitting week, what would have been the ramifications? Probably not very much except that we would have been able to look into it a little better.

It has been said to me in briefing that these delegations are just a piece of paper. However, at the risk of sounding as though I am trying to educate the minister on the significance of the trust voters have placed in the government of the day, I remind the minister that the powers vested in his role should not be taken lightly and they should not be seen as “just a piece of paper”. The following are also just pieces of paper:

marriage certificates, domestic violence orders, detention orders, ministerial appointments, intensive corrections orders. These are not just pieces of paper, but essential instruments which enable order in a free society. The bill before the Assembly today and the delegations it enables are not just pieces of paper but instruments that enable corrections officers to undertake their jobs with the appropriate authority, knowing that we are not leaving them liable.

The minister has recently been dismissive of other issues that have affected the JACS Directorate. I refer specifically to the assaults inflicted on certain corrections staff resulting in serious injuries and hospitalisation, affecting them and their families. The minister is now perhaps going to be dismissive of these delegations, but perhaps not. What else, I dare ask, is the minister dismissive of in his role? Perhaps this is why we now come to a situation where the women's prison exceeds capacity.

The freedom afforded to citizens is not a small matter, and it is also not a small matter to remove these freedoms. Therefore, any legislation dealing with the removal of an individual's freedom must be taken extremely seriously. Surely we could have had this bill tabled this week and passed in the next sitting. The issue of delegation was resolved in November, in fact. This bill resolves liability for a part of last year when delegations had not been made, so another one probably would not break the bank.

Why has the minister sought not to use the committee system appropriately? Why is the minister seeking to slide this bill through without proper scrutiny? The scrutiny committee, as I say, took extraordinary steps in seeking out out-of-session advice, and in meeting and coming in here at odd times to make sure that there was some advice to the Assembly. We take our role quite seriously. But that is not how it is meant to operate. The government has an obligation to the community and to those on intensive corrections orders to ensure that delegating authority is done right.

The government also has an obligation to ensure that any bill being brought to this place is put through the appropriate channels unless the matter is urgent. On reflection, this matter perhaps is not. I notice that we are looking at it through the prism of the minister's reputation. Let us face it: that is why there is all the fuss. But the incompetence is still there for all to see; rushing it through does not actually avoid that. Staff have an expectation that the delegations that they are acting upon are current and provide the necessary levels of protections to the territory and afforded to them in exercising their delegations.

The logical questions that any functional government may ask in this situation are these: how long has the minister known about this monumental stuff-up? I understand that the minister has known about it since at least November last year. Why was the bill not tabled earlier? How many staff does this amendment apply to? There are up to 200 positions listed in the bill, but how many actual people does it cover, at least at present, and in November last year, when it was discovered? How many offenders on intensive corrections orders does the bill retrospectively affect? How many offenders have been subject to urine samples, drug tests and other tests by staff not appropriately authorised? Could any test results be potentially considered invalid as a result of the minister's failure to manage the portfolio? What other delegations have been overlooked by the minister or the whole government?

I appreciate the briefing I have received from the department of corrections. In that briefing, I was advised that a number of activities are underway to ascertain if similar issues may exist anywhere else in the directorate. I am pleased to hear it, but I am surprised it has to happen.

I ask the minister to provide assurance to us today that there will not be any more significant oversights such as the one that I was euphemistically told was an administrative oversight but that the people of Canberra would clearly see as a breach of trust. Now we have a situation where the minister has injured guards, which he sees as inevitable, delegations not being properly put in place and 32 women being housed in a 29-bed facility in the women's prison. I ask the minister to explain.

**MR RAMSAY** (Ginninderra—Attorney-General, Minister for Regulatory Services, Minister for the Arts and Community Events and Minister for Veterans and Seniors) (12.00): The purpose of the Crimes Legislation Amendment Bill 2017 is to put beyond doubt the effects of an administrative oversight with the intensive corrections orders scheme in 2016. The administrative oversight needs to be solved quickly to provide the government and the community with certainty.

The intensive corrections orders scheme provides an option for intensively monitored, community-based sentences. The scheme is designed to be a last resort alternative to jail. Intensive corrections orders are made by courts in the ACT and administered by ACT Corrective Services. Intensive monitoring necessarily means that ACT Corrective Services staff play a hands-on role in the administration of each intensive corrections order.

Minister Rattenbury explained the administrative error that gave rise to this bill when he introduced it. Under the relevant legislation the Director-General of Justice and Community Safety has certain functions to administer the scheme. An example is the function of receiving routine drug tests as part of an order. The power to carry out these functions was not delegated to the front-line staff who engaged with the courts and sentenced offenders in administering ICOs. The result is that, arguably, all administrative action taken in relation to a person who has been convicted of a crime and sentenced to one of these orders was without proper authority from April to May 2016.

It is important to recognise that this is a technical argument only. I would like to emphasise that every person who was sentenced to an intensive correction order gave informed consent. In the first place, the terms of an order are set out by the court with the agreement of the person being sentenced. Any conditions, including residence, weekly reporting and drug testing, would have been agreed to as part of the court process. Further, any consequences as a result of breaching those conditions had to be considered and ordered by the Sentence Administration Board. These features of the scheme mean that ultimately the role of delegations was an administrative error that made no substantive difference in how the sentences of the affected people were administered.

There is no question of the court's power to order a sentence. There is no question of the Sentence Administration Board's power to make decisions about administering a sentence. Any claim to compensation by a person affected would rest on the fact that the officers doing the administrative work were not backed by a delegation. Had delegations been signed, nothing else would have changed about what happened.

As Minister Rattenbury explained, the bill is retrospective. It changes the legal effect of actions undertaken in the past. While retrospective legislation is never a first choice, in this case there is a justification to proceed. Without retrospective effect, there could be litigation seeking damages over the administration of the scheme. The fact remains that in substance these sentences worked exactly as they should have. And key decisions about the terms of the sentence were made by the court or by the Sentence Administration Board.

The government is certainly mindful of the gravity that paperwork errors can carry. Delegations are part of the legal system and ensure that government action is carried out with the proper authority. Our agreement to this bill comes with a commitment to examine the causes of the error that made this legislation necessary, and to ensure that they are addressed. I commend the bill to the Assembly.

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (12.04), in reply: Thank you, members, for your various contributions to the debate. I note that the attorney has just made some quite important points about why this legislation has been brought forward; I think they go to a number of comments that Mrs Jones made in discussion this morning and I do not see the necessity of repeating any of that.

I spoke earlier about the feedback from the Standing Committee on Justice and Community Safety in their role as the legislative scrutiny committee, and I noted their analysis. I thank Mrs Jones for giving me a copy of it so I could read it more carefully after she delivered it this morning. They have, in some ways, gone through the thought process that I went through initially. Then I had some further discussions with the attorney to affirm those views. They were to consider, in bringing forward a retrospectively acting bill, what the implications of that were and whether that was unfair to anybody in the community. I think that is the way to most plainly reflect what the Human Rights Act is about: is it unfair and unjust?

I think the scrutiny committee has formed the view that I did. To put it in plain English terms, was anybody made worse off because of this matter and would they be unfairly treated as a result of the retrospective correction of this oversight? The view that I formed was that the decisions were taken in good faith; the decisions were taken in ways that they would have been whether the delegation was in place or not; and the officers acted as they should have under the legislation. On that basis, what we simply are doing here is ensuring the clarity of that and avoiding the risk for extensive litigation on the matter should the question be brought up in that way.

What this exercise does not undermine is the value of the intensive corrections orders. We have spoken this week about the capacity of the jail, about the number of people who are on remand in our corrections system. That continues to be of concern for the government and for people in the community. Do we have the balance right for the number of people who are on remand and the number of people in the jail?

From a sentencing point of view, an intensive corrections order is one of the mechanisms for ensuring that, for people who have committed an offence and whom the community feel need to be punished in some way for it, it is a way for reflecting that need to admonish the behaviour, in a way that is not necessarily about going to jail but a way that can be focused on addressing the offending behaviour, be that anger management or be that drug and alcohol issues in the form of substance abuse. Having the intensive corrections order option gives greater depth to the response that the judges and the magistrates are able to make.

I think that is a good development that has now been in place for almost a year. We should start to see some more substantive data come through, but certainly the idea behind it, and the early operation, points to the fact that it is achieving the goals that the legislation intended, that is, to provide an alternative sentencing option to ensure that the people who go to jail are people who really should be inside a secure corrections facility, from a community safety point of view; and that those whose reason for offending may be more a bit of a loss of way are given a response that helps them put their life back on track in a way that is productive and helps them get on with their lives, whilst at the same time serving some penalty in reflection of what they have done.

The intensive corrections orders are a valuable addition to our legal system. I hope that the data we will start to see in the near future will reflect that this government is taking a sensible but innovative approach to dealing with offenders in this city. I commend the bill to the Assembly today and I thank members for their support of it.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

### **Supplementary answer to question without notice Minister for Health—incoming minister briefing**

**MS FITZHARRIS** (Yerrabi—Minister for Health, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (12.09), by leave: Yesterday in the chamber, in a supplementary question, Mrs Dunne asked me if my incoming minister's brief contained information about ACT Health failing to provide data to AIHW and any impact that may have had on the national health funding body's payments to the ACT.

I responded by saying that the incoming government brief did not contain such information, but I had noted in my answer to the previous question that I would go back and check the incoming government brief. I can confirm that the data section in the brief did not contain any information concerning national funding payments to the ACT, which is consistent with my answer yesterday.

I can further advise that the brief did contain a reference to the late delivery of data to the AIHW due to pre-existing problems with data collection. As I have said before, I was made aware of these difficulties last year. The brief noted that data had not been provided for two reports, *Mental health services in Australia*, released on 14 October, during the caretaker period, and a report on better cardiac care measures for Indigenous people, which was subsequently published in November 2016. The brief also noted that this may impact on ACT Health's contribution to ROGS and that the directorate was negotiating a revised deadline for the submission of data. As I have said previously, I was formally advised we had missed that deadline when I returned from leave on 6 February this year.

## **ACT government campaign advertising**

### **Appointment of independent reviewer**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (12.10): I move:

That, in accordance with section 12 of the Government Agencies (Campaign Advertising) Act 2009, this Assembly approves the appointment of:

- (1) Professor Dennis Pearce AO as the Independent Reviewer—ACT Government Campaign Advertising for a period of three years commencing on Monday, 20 March 2017; and
- (2) in instances when the Independent Reviewer is unavailable to review proposed government campaign advertising, Mr Derek Volker AO as Alternate Independent Reviewer—ACT Government Campaign Advertising for a period of three years commencing on Monday, 20 March 2017.

I am presenting the option for the Assembly to reappoint Professor Dennis Pearce AO as the Independent Reviewer—ACT Government Campaign Advertising in accordance with clause 12(4) of the Government Agencies (Campaign Advertising) Act 2009. For the benefit of members, Professor Pearce was appointed as independent reviewer in March 2014. In addition I nominate Mr Derek Volker AO to be reappointed as alternate reviewer who can be called upon to scrutinise ACT government advertising campaigns if Professor Pearce is unavailable. Mr Volker was appointed as the first independent reviewer in February 2011 and as the alternate reviewer in March 2014.

Both nominees have performed the duties of the position with the highest integrity and professionalism. Their joint experience, diligence, thoughtful advice and responsiveness during their tenures have been invaluable to the people of the ACT.

As independent reviewer and alternate reviewer, Professor Pearce and Mr Volker will continue to review government campaigns over \$40,000 to ensure they comply with the Government Agencies (Campaign Advertising) Act 2009, which aims to prevent the misuse of public funds. This is an important role in ensuring integrity, transparency and trust in the use of public funds for government communications. As part of the review process, the reports of the independent reviewer are presented to the Assembly on a biannual basis.

Professor Pearce has a long and distinguished career in academia and public office over many years. He is Australia's leading authority on statutory interpretation and was a Commonwealth Ombudsman. Professor Pearce has conducted many reviews on behalf of the commonwealth and ACT governments, including the review into sexual abuse in the Defence Force and the CSIRO review of workplace conduct. He joined what is now the ANU College of Law in 1968 as a lecturer and was promoted to professor in 1981. He was Dean of the Law School from 1982 to 1984 and from 1991 to 1993. He was acting Deputy Vice-Chancellor in 1994 and retired in 1996. On retirement, he was appointed an emeritus professor of the university.

In addition to his achievements in the academic world, Professor Pearce has also held many public positions. His former roles include foundation adviser to the Senate Scrutiny of Bills Committee from 1981 to 1983, Chairman of the Australian Press Council from 1997 to 2000, member and later Chair of the Copyright Law Review Committee from 1983 to 2000, and the foundation president of the ACT Racing Appeals Tribunal from 2001 to 2004.

Professor Pearce was made an Officer of the Order of Australia in 2003 and awarded a Centenary Medal for his services to copyright. Professor Pearce's extensive experience equips him perfectly to judge what is and is not appropriate in the expenditure of public funding. I consider him to be highly qualified to continue in this role for the Assembly and I trust that this view is shared by other MLAs.

I am also nominating Mr Volker to be reappointed to the role of alternate campaign advertising independent reviewer in the event that Professor Pearce is unavailable. Mr Volker was appointed as the first independent reviewer in February 2011 and for the past three years has performed the duties of the alternate reviewer.

He has extensive public service experience, including as a departmental secretary to three commonwealth departments: Veterans' Affairs, Social Security and Employment, Education and Training. He was also chairman of the board of Defence Housing Australia from 2008 to 2014 and held a number of positions for the ACT government, including chair of the ACT Business Incentives Scheme Panel, ACT Tourism and the Education Export Council.

I commend these nominations to the Assembly. They are exceptionally qualified nominees and we look forward to the continuation of them in their ongoing roles to implement the necessary processes for the approval of campaign advertising. I present them formally to the Assembly for consideration.

**MADAM ASSISTANT SPEAKER:** The Government Agencies (Campaign Advertising Act) requires that this appointment must be agreed to by a special majority of the Assembly, which is 17 votes. That being the case, I direct that a vote be taken.

Question put:

That that the motion be agreed to.

The Assembly voted—

Ayes 23

Noes 0

Mr Barr	Ms Lawder
Ms Berry	Ms Le Couteur
Ms Burch	Ms Lee
Ms Cheyne	Mr Milligan
Ms Cody	Ms Orr
Mr Coe	Mr Parton
Mrs Dunne	Mr Pettersson
Ms Fitzharris	Mr Ramsay
Mr Gentleman	Mr Rattenbury
Mr Hanson	Mr Steel
Mrs Jones	Mr Wall
Mrs Kikkert	

Question resolved in the affirmative, by the special majority required.

**Sitting suspended from 12.20 to 2.30 pm.**

## **Questions without notice**

### **Crime—motorcycle gangs**

**MR COE:** My question is to the Attorney-General. Attorney, I refer to a recent report which states:

Outlaw bikie gangs have declared Canberra a “free for all” zone, with one of the world’s most bloodthirsty outfits targeting the nation’s capital because of its lack of consorting laws.

Attorney, what information have you or your directorate received about gangs now targeting Canberra?

**MR RAMSAY:** I thank the Leader of the Opposition for his question. Certainly it is the case that community safety is an absolutely vital area. It is important that we see the government and ACT policing working together to make sure that Canberra remains a safe place. I think one of the important things to note is that in relation to the criminal activities of outlaw motorcycle gangs, ACT policing has established Taskforce Nemesis.

The results speak for themselves. As part of that work, ACT Policing, through Taskforce Nemesis, has executed 131 search warrants. As of 30 October last year there have been 71 outlaw motorcycle gang members brought before the court. They were charged with a total of 217 offences. Sixty-seven per cent of those matters have received a finding of guilt.

In August the government also announced an additional \$6.9 million in funding over four years to expand Taskforce Nemesis on an ongoing basis—

**Mr Hanson:** Point of order, Madam Speaker.

**MADAM SPEAKER:** Yes.

**Mr Hanson:** On relevance. The question was directly about what information has been received about gangs targeting Canberra, not about the activities of Taskforce Nemesis. What information have we got about gangs targeting Canberra?

**MADAM SPEAKER:** Thank you, Mr Hanson. I have heard reference to activity targeting gangs and that that is why they were presented before the court. Attorney-General.

**MR RAMSAY:** Thank you, Madam Speaker. It is important to note that we continue to work in relation to the information that is coming through and in relation to the policing. It is important to note that the way we are working is cooperatively with the police.

In respect of the anecdotal evidence that may be coming through on the gangs themselves, I think one of the important things for us to do in this area is not to repeat and reinforce communications that may be coming from the gangs themselves. What we are doing is having conversations regularly with ACT—(*Time expired.*)

**MR COE:** Attorney, what reports have you received as minister about Canberra being declared a “free for all” zone amongst bikie gangs?

**MR RAMSAY:** I do not recall those words being used in any of the reports that I have received.

**MR HANSON:** Attorney-General, what research or advice has the government received examining whether the increased bikie activity—outlaw motorcycle gang activity—is due to the lack of consorting laws in the ACT?

**MR RAMSAY:** I thank the shadow attorney-general for his supplementary question. We are regularly in consultation with ACT Policing. That is a key part of our work. We are hearing that, with the range of activities in the ACT, we do not see an increase in the crimes being reported. What we do see is that it is important for us to be able to respond in a range of ways to make sure that our community remains safe. We are continuing to do so, and we will continue to monitor all possible ways of ensuring that we have an effective and safe community, and an effective and safe law enforcement agency.

**Crime—motor cycle gangs**

**MR HANSON:** My question is to the Attorney-General. Attorney-General, I refer to a report that states that a number of outlaw motorcycle gangs “have been given legal advice that the ACT would be easier to operate out of rather than other states, where tough anti-bikie laws are in place”. Attorney-General, have you received your own legal advice on this matter, and does that advice confirm that the ACT is easier for outlaw motor cycle gangs to operate out of?

**MR RAMSAY:** Obviously I cannot comment on legal advice that any other party may have received. In relation to the question, it is not the policy of the government to comment on legal advice that has been received in relation to legal, professional privilege.

**MR HANSON:** Attorney-General, is it still the case that the ACT does not collect data about the number and nature of crimes or the range of offences committed by outlaw motorcycle gang members in the ACT?

**MR RAMSAY:** As I indicated in my previous answer, the information that we have from ACT Policing is that Taskforce Nemesis is working and is collecting very effective information. Let me repeat: 131 search warrants across Canberra, seizing firearms, weapons, cash, drugs and anabolic steroids. As of 30 October, 71 outlaw motorcycle gang members have been brought before the court charged with a total of 217 offences and 67 per cent have been found guilty.

**MR WALL:** Attorney, is it not the case that the movement into the ACT of outlaw motorcycle gangs is exactly what has been warned about and ignored by your government since 2009?

**MR RAMSAY:** There is no way that this government is ignoring or has been ignoring the—

*Opposition members interjecting—*

**MADAM SPEAKER:** Would you be interested in the minister’s answer? If so, I suggest you be quiet and cease interjecting.

**MR RAMSAY:** The government continues to consider a range of ways. We are looking at anti-fortification laws, knowing that fortifications are structures that are designed to stop or inhibit premises being entered. The ACT does not currently have fortification laws, but we will continue to look at those and continue to see how it is that we can enforce matters.

There are a range of enforcement measures which are already available within the existing laws and which we believe can be pursued. We look forward to maintaining a safe community.

## **Government—inter-city relations**

**MS CHEYNE:** My question is to the Minister for Economic Development, the Chief Minister. Chief Minister, can you please update the Assembly on Canberra's partnerships with Adelaide.

**MR BARR:** I thank Ms Cheyne for the question. I am pleased to advise the Assembly that the Lord Mayor of Adelaide, Martin Haese, and I have recently signed a smart city cooperation agreement. It is the first such agreement between two leading Australian smart cities, and it formalises arrangements for us to work together on a range of nation-leading reforms and smart city innovation.

I can also advise the Assembly that the Premier of South Australia and I are jointly pursuing increased aviation opportunities between Canberra and Adelaide. I met with the Chief Executive of the South Australian Tourism Commission as well as the Premier and the Treasurer of South Australia to discuss our collaboration to see more direct flights between Canberra and Adelaide, particularly to encourage other low cost carriers to enter that market.

The South Australian Treasurer, Tom Koutsantonis, and I have discussed opportunities for the states and territories to continue to lead on taxation reform, economic development and energy market reform. I note that the South Australian administration is the only other state or territory government in this country to do anything to reform inefficient taxes, in addition to the work that we are undertaking here in the territory.

**MS CHEYNE:** Chief Minister, how will the smart cities agreement improve service delivery for Canberrans?

**MR BARR:** The agreement raises the smart city profile of both Canberra and Adelaide, nationally and internationally. We are forming a range of partnerships at the national and international levels to stimulate economic activity in the two cities and to improve the efficiency of service delivery. We are already prominent smart cities with major projects that use technology to make our respective cities more livable and efficient. We have the largest free public wi-fi networks in Australia, providing access to high-speed, high-quality data for our citizens across both cities.

This agreement will see us collaborate around procurement for a range of projects to increase efficiency and buying power. It will also allow us to share knowledge to accelerate the uptake of new technologies, to reduce the risk of having to go it alone, and to create joint promotional opportunities to attract new investment to our cities. We are working together on the development of some national smart city initiatives and applications. This includes smart parking, smart bins and sensors to make our waste collection more efficient and cost effective, sensors and satellite data to help us understand fire behaviour and predict fire paths, and smart data to help us improve traffic flows and congestion.

The agreement will also see us work together to jointly bid under the federal government's smart cities and suburbs program and through the development of respective city deals for Canberra and Adelaide.

**MS CODY:** Chief Minister, what steps have you taken to secure additional direct flights between Canberra and Adelaide?

**MR BARR:** We have had very productive discussions with the Premier, the Treasurer and the Chief Executive of the South Australian Tourism Commission about aviation and tourism partnership opportunities between the ACT and South Australia. The Premier has agreed to advocate with me for new low-cost services between Canberra and Adelaide and to increase the current capacity and services with the existing airlines. I have written to the Premier to formalise our commitment to advocate for additional flights.

I note that I undertook a similar process with the Victorian Premier prior to Tigerair services between Melbourne and Canberra being established last December. This was, of course, the first time in quite a while that we had a low-cost carrier servicing Canberra and the region on a daily basis. With those services and infrastructure now operational, there is a greater opportunity to work with Tigerair but also with Jetstar to develop additional services to other cities in Australia.

The new or additional services between Canberra and Adelaide will be supported by cooperative marketing partnerships between Visit Canberra and the South Australian Tourism Commission to promote each city's tourism experiences to encourage greater visitation between South Australians and people from the ACT.

### **ACT Land Development Agency**

**MS LE COUTEUR:** My question is to the Chief Minister and relates to his power to request investigations by the Public Sector Standards Commissioner into misconduct under the Public Sector Management Act. Chief Minister, why have you not used your power under the Public Sector Management Act to request that the Public Sector Standards Commissioner investigate the apparent serious misconduct by Land Development Agency officials—specifically LDA officials' manipulation of official records—in response to a freedom of information request lodged by Mr Coe on 15 November 2016?

**MR BARR:** The first point to make in response to Ms Le Couteur is that no allegations of misconduct or improper behaviour have been made against any officers. The Auditor-General's report was very clear on that. The Auditor-General found, and I quote, "transparency, accountability and rigour in processes had been lacking in certain circumstances", but there were no allegations of misconduct or improper behaviour made against any officers.

In relation to the specific issue of the FOI document, on 15 December 2015 it was discovered that a document released in response to a freedom of information request differed from the document originally received by the LDA. The difference was two

words, a change in the title of the document. This is a very serious issue and one that needs to be dealt with at the agency level.

On discovering this had occurred in December 2015, two actions were urgently commenced. There was an investigation of the matter by the senior executive responsible for business integrity risk and, of course, the original document was released to the member in accordance with the Freedom of Information Act.

Following the investigation it was determined that the document supplied by a third party was altered and an LDA official was aware of the alteration having been made but was unaware of the implications of the alteration. The investigation found that the officer should undertake counselling and FOI training, and both of these recommendations have been implemented.

The LDA board was formally advised through a report to the LDA audit and risk committee, which occurred at its meeting on 17 March 2016, being the first meeting of the committee after the incident in question.

**MS LE COUTEUR:** Chief Minister, why have you not used your power under the Public Sector Management Act to request the Public Sector Standards Commission investigate the LDA chief executive's apparent misconduct under the Public Sector Management Act given that the Auditor-General's report into certain Land Development Agency acquisitions substantiates that the LDA chief executive appears to have misled the Standing Committee on Planning, Environment, Territory and Municipal Services on 5 November 2015 when he indicated that the Glebe Park acquisitions had received board approval prior to purchase when the Auditor-General's report indicated otherwise?

**MR BARR:** The government has responded to those issues formally in the response Minister Berry tabled. Of course, the chief executive of the LDA responded in the audit report. Those issues have been extensively canvassed.

**MS CHEYNE:** Chief Minister, can you advise what wider action the government is taking to improve the performance of the LDA and land development outcomes for Canberra?

**MR BARR:** The LDA has undertaken a wideranging internal review of its business systems and processes. This has been informed by the review undertaken by the former commonwealth auditor-general, Ian McPhee. Members would be aware that we are well into the process of creating two separate bodies to undertake the tasks currently performed by the LDA—I outlined this during the election campaign some months ago—to improve transparency and to ensure a focus on strong land development outcomes for Canberrans.

The new urban renewal body will have clear responsibility for the city-defining projects that include the re-invigoration of the CBD, the Northbourne Avenue corridor and the city to the lake project. This new body will establish clear development objectives and act in the long-term public interest of the territory. The authority will make sure these projects are developed effectively and engage with the community

using representative consultation to give Canberra world-class, well-designed, architecturally important places to work and to play.

The new suburban development agency will focus on greenfield developments and affordable housing. Its aim will be to deliver new suburbs in a more efficient way and to give Canberrans housing choice.

### **Crime—motorcycle gangs**

**MRS JONES:** My question is to the Attorney-General. Attorney, I quote from an interstate news report of 16 January this year which states:

... NSW Police sources have revealed their exasperation at how the ACT situation is hampering their battle against the bikie menace. "A lot of clubhouses have been closed down and bikies are no longer roaming in packs in NSW but it's frustrating that they can still operate freely in Canberra," a senior NSW officer said. "It means they can have their state and national meetings and plan their criminal activities with less fear of being arrested."

Attorney, does the government maintain that current laws are adequate when there are reports of exasperated New South Wales police officers being hampered by our lack of laws?

**MR RAMSAY:** The ACT government is always looking at ways of being able to ensure the enforcement of laws and the safety of the community. I refer again to my previous answer—

**Mrs Jones:** Which was not an answer at all.

**MR RAMSAY:** I refer to my previous answer, which listed a number of ways that we are already working to increase security, and the operation of Taskforce Nemesis. We will continue to look at things. We are looking at matters such as anti-fortification laws and we are looking at a number of enforcement measures that are already available under existing laws. We do not operate on the basis of responses primarily through the New South Wales media. We are an evidence-based government and we will continue to base our decisions on evidence, not anecdote.

**MRS JONES:** Attorney, what plans does the government have prepared to stop state and national meetings of bikie gangs in Canberra that are illegal in New South Wales, like the one occurring at my local shops two weeks ago on Saturday?

**MR RAMSAY:** It is good to be able to keep reinforcing the good work of Taskforce Nemesis and the increasing—

*Mrs Jones interjecting—*

**MR RAMSAY:** And the work that is being undertaken: the issuing of search warrants, the work that we are doing on anti-fortification laws and a range of other enforcement means, including matters in relation to traffic, in relation to—

*Mr Hanson interjecting—*

**MR RAMSAY:** In relation to a number of enforcement means that we will continue to work with to promote a safe and secure Canberra.

**MR HANSON:** Attorney-General, how many new clubhouses or new outlaw motorcycle gangs have commenced operation or opened in Canberra since being shut down in New South Wales?

**MR RAMSAY:** ACT Policing has identified that there are three outlaw motorcycle gangs currently operating in the ACT.

*Members interjecting—*

**MADAM SPEAKER:** If we stop the interjecting, members, the Attorney may be able to respond to the question.

**MR RAMSAY:** Of those three gangs, they are primarily working with the same people; there has not been an increase in the number of people. There has been some division in the actual outlaw motorcycle gangs themselves. We are continuing to work on that and we will continue to work with Taskforce Nemesis.

### **Light rail—executive salaries**

**MRS KIKKERT:** My question is to the Minister for Transport and City Services. I refer to the reported \$740,000 15-month pay deal for the new Executive Director of Procurement and Delivery in the light rail project. What tasks will the new executive director undertake that were not undertaken by his much lower paid predecessor?

**MS FITZHARRIS:** I thank Mrs Kikkert for the question. Certainly the individual that Mrs Kikkert refers to has had a contract with the ACT government for some time. He has a very extensive background in transport and broader infrastructure projects right around the country, including significant responsibilities in New South Wales. He is overseeing both the delivery and the construction of stage 1 of light rail and will also be overseeing the preliminary work and future work on stage 2 of light rail from Civic to Woden.

**MRS KIKKERT:** What tasks will the new executive director undertake that are outside the normal public service tasks for oversight of a project?

**MS FITZHARRIS:** No additional tasks other than the additional role he now has in overseeing stage 2 of light rail from Civic to Woden.

Those in the chamber will know how popular light rail is around this country. Every state and territory government is investing in light rail or seeking to invest in light rail. We have seen reports recently from Hobart, and of course we see the commonwealth government investing in light rail right here in Canberra, on the Gold Coast, in Adelaide, in Perth: Western Australia, Queensland, Victoria—all investing in light rail.

What that means is that for highly skilled people there is a very tight labour market.

The team leading the light rail project, both within government and within Canberra Metro, are a very highly skilled team of people drawn from local, national and international experts to deliver us a world-class infrastructure project here, which is exactly what the community wants and which is exactly what this government will deliver.

**MR PETTERSSON:** Could the minister please update the chamber on how light rail is progressing?

**MS FITZHARRIS:** I thank Mr Pettersson for the supplementary. I am very delighted to update the Assembly on how well stage 1 of light rail is progressing. As I noted yesterday as well—

**Mrs Dunne:** On a point of order, I ask whether or not Mr Pettersson's question is in order. Yes there was mention of light rail in Mrs Kikkert's question but it was specifically about the roles and functions of the executive director and his salary, as too was the supplementary. I ask you to rule whether Mr Pettersson's question, which is generally about the benefits of light rail, is in order given what the original and supplementary questions and the answers were about.

**Mr Gentleman:** Madam Speaker, on the point of order, during Minister Fitzharris's answer she went into quite a bit of detail about light rail not just across Canberra but across the nation as well.

**MADAM SPEAKER:** The question is in order, and I am sure the minister will talk about the progress, which will involve the activity of the public service official who was mentioned in the first question.

**MS FITZHARRIS:** Thank you Madam Speaker. Indeed it does. As I noted, this is a world-class infrastructure project being led by a world-class team which does, of course, involve an exceptionally experienced executive director.

The progress is extensive. The project is advancing very well. We have recently seen the delivery of some of the light rail track and we will soon see the laying of the concrete formwork for that light rail track and also later in the year the delivery, of course, of the first light rail vehicles as well.

We are already seeing extensive employment from across the Canberra region. This project is employing hundreds of people as we speak. New works projects have been going out regularly, employing local firms, employing local workers and, importantly, providing training for many local young people.

### **Education—Shaddock review recommendation**

**MR WALL:** My question is to the minister for education and training. Minister, as part of its response to the schools for all report into students with challenging behaviour, the ACT government agreed to issue new guidelines on the appropriate use

of withdrawal spaces, seclusion and physical restraint. These guidelines stipulate that withdrawal spaces should not be locked and students must not be prevented from leaving. Minister, are you aware of any ACT schools that are not adhering to these guidelines for any reason?

**MS BERRY:** No, I am not aware of any schools.

**MR WALL:** Minister, are some students at a Canberra primary school segregated from other students in a gated outside enclosure and forced to wear clothing that clearly identifies and highlights them as being different from other students?

**MS BERRY:** Can I suggest that if Mr Wall is aware of any schools where this might be occurring, that he get in touch with my office and then I can investigate.

**Mrs Jones:** What's the answer to the question?

**MS BERRY:** This is the first time that I have heard of that situation, if there is a situation like that occurring.

**MRS KIKKERT:** Minister, how do you avoid students being stigmatised when they are separated and possibly forced to wear clothing that deliberately identifies them as being different?

**MS BERRY:** I invite members, if they are aware of a situation where this is occurring, to please get in touch with my office so that I can investigate it.

### **Sport—government initiatives**

**MS CODY:** Can the Minister for Sport and Recreation update the Assembly on key projects in the Sport and Recreation portfolio, particularly the delivery of the government's election commitments?

**MS BERRY:** I thank Ms Cody for that question. The government's sport and recreation investments, particularly in local infrastructure, are a foundation for our work in support of active living, and I have been pleased to pick up where we left off in this portfolio. On our election commitments, funding has been made available for the government's commitment of \$75,000 towards consultation around a new ice sports facility. Preliminary meetings have been held and I look forward to seeing the project move ahead in coming months.

The government has also begun to roll out our ambitious program of activities to grow the profile, participation and equity of women's and girls' sport. I want to say how good it is to see the number of local sporting bodies also wanting to take a leadership role in this work.

Key capital works are also continuing to build and enhance our sporting asset base. They currently include the development of the Melrose synthetic football pitch, the redevelopment of the Phillip Oval and the further upgrade of the Narrabundah Ballpark.

Finishing touches to works at Melrose High School are being made in readiness for the opening of this facility next month. Works are on track at Phillip Oval, and finally, the Narrabundah Ballpark community engagement was undertaken last year and design work is well underway.

**MS CODY:** Minister, how are these investments supporting Canberrans to be active and to participate in sport and recreation?

**MS BERRY:** This is a timely question given the recent release of the new Ausplay results that affirmed the ACT as Australia's most active state or territory. This new data tells us that Canberrans are using our open spaces and sporting facilities with just over 85 per cent of Canberrans aged 15 years or over participating in sport or physical activity at least once a week and just over 66 per cent participating at least three times a week.

These results reflect the benefits of sustained investment into sport and recreation. Sporting participation does not occur without places to play, whether that is in open playing fields or more specific sporting infrastructure.

The Ausplay data also confirms the need for our ongoing commitment to gender equity in sport, particularly in closing the participation gap for girls, which is as high as 10 per cent for ages 15 to 17 and seven per cent for ages 18 to 24. The government's investment into women's sport stems from a strong commitment to keep making positive change—from school girls right through to elite teams and Olympians.

A love of being active in sport and recreation starts in our youngest years, which is why the government is also delivering Natureplay Canberra as an important program to get kids active outdoors, connecting with nature, exploring and having fun. This program is a great example of a small investment having a big impact in shaping future active lifestyles within our community.

**MR PETTERSSON:** Minister, what role has the sports community played in these projects?

**MS BERRY:** I thank Mr Pettersson for the supplementary. The success of sport and active recreation in the territory has always been based on people and organisations working together: partnerships between parents and children, coaches, clubs and state and national sport and recreation bodies. These important partnerships are also key strategic approaches to growing participation. The role of the sports community in these projects begins with talking, expressing needs and doing vital groundwork. Often it means community organising and fundraising, skills many clubs have down to a fine art.

This government listens to our community, and the projects we support are a strong signal of our commitment to working with people across many sport and recreation activities happening every day in Canberra. More and more, our local clubs and peak sporting organisations are embracing the opportunities of partnering with government

on the ways we can achieve results together that neither party could achieve on its own.

A great example of this currently is the redevelopment of Phillip Oval. From the very beginning cricket and AFL have been working closely with Active Canberra around financing and design to ensure the facility will best meet the future needs of the sports community and high performance usage for both women and men. This completed project will be an exceptional venue for all levels of sport.

### **ACT Health—reporting accuracy**

**MRS DUNNE:** My question is to the Minister for Health. Minister, yesterday in question time, you said ongoing problems with the accuracy and integrity of ACT health data were “one of the key elements to discuss in my incoming government verbal briefing”. You said:

I wanted to ensure that the 2015-16 quarterly performance reports were made available as soon as possible, with assurances of course that the data was accurate. This was then done on 9 November.

You tabled the Health Directorate annual report on 13 December 2016. On 14 February 2017, in the Assembly, you said:

... at the time of tabling I did have assurances on the data provided in the 2015-16 annual report.

Minister, did you receive written advice of that assurance, and will you table that advice?

**MS FITZHARRIS:** I thank Mrs Dunne for the question. I do not recall if I received specific written advice on the 2015-16 annual report. I will check that. But certainly it was published, as all annual reports are, by the directorate, by the director-general. I will check the records on your question.

**MRS DUNNE:** Minister, in the review process leading up to the assurances that were given to you on the 9 November release of the quarterly reports, were any inconsistencies discovered in the published data in the 2015-16 annual report or any previous annual reports?

**MS FITZHARRIS:** No, not to my knowledge for the 2015-16 annual report. And no, not to my knowledge on any previous annual reports. But I will check the records again on that question also.

**MS LEE:** Minister, what has transpired since 9 November 2016 that now leads you to the conclusion that there are inconsistencies between recorded and reported health data?

**MS FITZHARRIS:** As I indicated in my statement and in questions previously this week, the work that was undertaken in 2016 was specifically to look at the quarterly performance report because it was through one of those reports that the first set of

inaccuracies was found. The work that was undertaken in 2016, with advice from PwC, was specifically into the quarterly report. Therefore, I was aware, and I subsequently also spoke with the Health Directorate about looking more broadly at data processes, not just those required to produce the quarterly report.

In the process of looking more broadly at data processes, this is when further issues were discovered and brought to my attention when I returned from leave last Monday, and subsequently informed my decision to ask for a system-wide review. I would like to note that ACT Health have been working extremely hard, treating this as a high priority. I thank all the staff in ACT Health who have been working exceptionally hard both through the production of the quarterly reports throughout the process of a review from PwC, the annual report and, subsequent to that, on other data matters. I expect that they will have a very busy year. They will have my support and I thank them very much for the efforts they have made to date.

### **ACT Health—mental health data**

**MS LEE:** My question is to the Minister for Mental Health. In her statement to the Assembly on 14 February, Minister Fitzharris stated that the ACT government had failed to provide data relating to mental health in order to be included in the Productivity Commission's ROGS report. When were you first briefed about possible problems with the accuracy and integrity of data relating to mental health?

**MR RATTENBURY:** I cannot think of the specific date, but it has been some time in the last couple of weeks.

**MS LEE:** Did the incoming minister's brief advise you that there were potential problems with the data relating to mental health?

**MR RATTENBURY:** No, it did not.

**MRS DUNNE:** Minister, how has inaccurate data affected decision-making related to clinical care for people with mental illness?

**MR RATTENBURY:** I do not believe it has in specific cases, in that individual cases will be dealt with by clinicians based on individual circumstances. System-wide, which is perhaps more where Mrs Dunne's question is going, it is a matter that will need to be reviewed in light of the discovery of the problems with the data.

### **Environment—Barrer Hill habitat restoration project**

**MR PETTERSSON:** My question is to the Minister for the Environment and Heritage. Minister, can you outline to the Assembly the work undertaken for the Barrer Hill habitat restoration project?

**MR GENTLEMAN:** I thank Mr Pettersson for the question. I am pleased to inform the Assembly that the innovative habitat restoration project at Barrer Hill has now been completed. Barrer Hill has a long history of impact since European settlement. It was degraded by livestock grazing and had also been a pine plantation. Work has been

taking place since 2014 to restore the area's rocky grasslands and recreate woodland habitat for threatened species like the pink-tailed worm-lizard and woodland birds such as the crimson rosella, magpies, raptors, tawny frogmouths and the Australian kestrel.

A particular highlight of the project has been the recent installation of vertical habitat structures including five man-made utility poles and five large relocated mature trees, some up to 160 years old, which were deemed unsafe to remain standing in the urban area but which have now been given a renewed lease of life. In delicate operations involving crane trucks and semitrailers, trees were skilfully removed intact and then resurrected on site where they were placed into concrete lined sleeves where they will now provide habitat for species in coming decades.

Old trees provide unique habitat features that animals and insects can rely on such as hollows and peeling bark. Further work was done to enrich resurrected structures by attaching carved hollows and artificial bark to attract a variety of wildlife.

Within hours of the structures being installed woodland birds such as raptors and parrots were perching and inspecting hollows. Within days we had native bats roosting in specialised bat boxes. The immediacy of the wildlife response has been really fantastic, highlighting the demand for mature tree resources in otherwise highly degraded landscapes.

**MR PETTERSSON:** Minister, how has the community contributed to the Barrer Hill restoration project?

**MR GENTLEMAN:** The Barrer Hill restoration project in the soon-to-be-declared Molonglo River reserve near Coombs has been a great example of what can be achieved when the ACT government works with local community and educational institutions. ACT Parks and Conservation Service, the Land Development Agency and Greening Australia have run community planting days in the Barrer Hill area, and it is estimated the community has helped plant 550 native trees and shrubs so far.

A number of community organisations with a focus on conservation have supported this project and have given their time generously. Conservation volunteers always bring a level of enthusiasm but also expertise to projects such as this.

In addition to the efforts of community organisations, this project has a research component. The ACT Parks and Conservation Service is working with the Australian National University on a research project at Barrer Hill to inform how modified areas in the ACT and further afield can be restored with vertical habitat structures, including translocated trees and manmade utility poles. This research being conducted in collaboration with the Fenner School of Environment and Society at ANU will provide valuable data on the ability to restore vertical habitat structures in other modified areas.

**MS ORR:** Minister, can you provide more detail to the Assembly on how the ACT government partners with the community on important restoration projects like Barrer Hill?

**MR GENTLEMAN:** I thank Ms Orr for her supplementary. As I just mentioned, the contribution by volunteers and community conservation groups is invaluable to the continued nature conservation work in the ACT and the region. As with the Barrer Hill project, community support from volunteers can make a real difference in protecting the environment. Volunteering for the environment is not only a great way to make a difference but also a great way to learn about the region, get outdoors, stay fit and meet new people.

There are several well-established volunteer groups that assist the ACT government in conservation projects. They include, of course, the Ginninderra, Molonglo and southern ACT catchment groups, Greening Australia and Parkcare. We need assistance to conserve and protect our natural environment, build knowledge of our region's plants and animals and support and encourage more sustainable behaviour in our communities. Some of the more common activities that community groups help with are planting trees, shrubs and grasses, identifying and recording wildlife such as frogs and platypus, monitoring water quality in our streams, removing woody weeds and collecting seeds.

A final example is the important restoration work at the lower Cotter catchment, which has been well supported by the community and volunteers, coordinated by Greening Australia. They have planted over 300,000 seedlings over 2,000 hectares. So I want to thank the community for their ongoing contribution.

### **Aboriginals and Torres Strait Islanders—Boomanulla Oval**

**MR MILLIGAN:** My question is to the Minister for Aboriginal and Torres Strait Islander Affairs. Minister, the Boomanulla Oval was closed in November of 2014, with the corporation going into liquidation. It has been a sporting and cultural centre for Canberra's Aboriginal and Torres Strait Islander community for the past 30 years, and is much missed as a venue for their events. Minister, what progress has been made to restore Boomanulla Oval?

**MS STEPHEN-SMITH:** This matter does not sit directly within my portfolio. I did receive an update a while ago, but I do not have the information with me so I will have to take that question on notice.

**MR MILLIGAN:** Minister, previously the Boomanulla Oval was managed by Winnunga. Since then the Boomanulla Oval has been closed for the past couple of years. There was an expression of interest that was put out to take over the Boomanulla Oval again.

**MADAM SPEAKER:** Mr Milligan, that is a preamble. Please go to your supplementary question.

**MR MILLIGAN:** Minister, why has a process not been developed in the past couple of years to restore Boomanulla Oval?

**MADAM SPEAKER:** The Minister for Aboriginal and Torres Strait Islander Affairs.

**MS BERRY:** Madam Speaker, Boomanulla Oval falls into my portfolio responsibilities. Yes, it has been a long process working with the community on how we can restore Boomanulla Oval. The expressions of interest happened early last year and Active Canberra has been working with Winnunga to work out the best way forward for Boomanulla Oval. It is taking some time, but we want to make sure that we get it right, that the community gets the best benefit out of that oval and, importantly, that it remains as an area of cultural significance to the Aboriginal and Torres Strait Islander community in the ACT.

**MR DOSZPOT:** Minister, can you give us an indication of when our community will once again be able to enjoy the use of the Boomanulla Oval?

**MS BERRY:** Thank you for the question. I really cannot give an indication or a time frame at this stage. There is quite a lot of remedial work that would have to happen at the oval before it could be of any use. However, we are having conversations with Winnunga about how we can best restore that oval and what other uses it might have to benefit the Aboriginal and Torres Strait Islander community.

### **Asbestos—worker safety**

**MR DOSZPOT:** My question is to the Minister for Workplace Safety and Industrial Relations. Minister, why were no air quality monitoring results received by the asbestos team after February 2016 for any of the sites examined by the Auditor-General?

**MS STEPHEN-SMITH:** I thank Mr Doszpot for his question. I was going to respond to some questions I took on notice yesterday. Yesterday I took on notice three questions regarding air quality monitoring in the demolition of loose-fill asbestos contaminated houses. I am advised that air quality monitoring has been conducted for all demolitions that took place in 2016. As to the specifics of whether or not and to whom those reports were provided, I will look into that.

**MR DOSZPOT:** Minister, will you also guarantee that there will be air monitoring for all future demolitions?

**MS STEPHEN-SMITH:** Mr Wall yesterday also asked a supplementary question as to whether the staged approach to demolition means that air quality monitoring can and should be undertaken on all sites. I am advised that the answer to that question is yes, so I assume that will be the practice.

**MR WALL:** Minister, how can you be certain that the demolitions where it seems, according the Auditor-General's report, no air monitoring had been conducted, were in fact safe?

**MS STEPHEN-SMITH:** The government has welcomed the findings of the Auditor-General's report and the review, and we know that it is important to have clearly documented frameworks, policies and procedures around the regulation of Mr Fluffy demolitions. WorkSafe and other agencies continue to make improvements

on that front. In fact, the report confirms that many of the improvements that are already underway are on the right track.

It is important to understand, however, that this audit did focus mainly on administrative practices. While these administrative practices are important, safety outcomes are WorkSafe's key focus, and they will always be the priority.

As members may be aware, the government is preparing a full response that will address all the recommendations outlined in the report, but the community can retain a high level of confidence about the safety of the program and WorkSafe's role in the regulation of these activities. Experienced inspectors are on these sites every day and attendance is based on a risk-based approach.

### **Environmental Defenders Office—funding**

**MS ORR:** My question is to the Attorney-General. Minister, what has the ACT government done to respond to the commonwealth's decision to cut funding to the Environmental Defenders Office from 2014?

**MR RAMSAY:** I thank the member for her question and also for her clear interest in and the importance she places on the environment and planning. The ACT Labor government is certainly getting down to business supporting community legal centres. Support for legal assistance helps us to create a justice system that is accessible, transparent and timely.

The federal government cut funding to the ACT Environmental Defenders Office in 2014. This cut threatened the ability of the EDO to provide advice and advocacy on the environment to the community. The \$140,000 in funding that we announced for 2016-17 will keep the EDO's doors open.

The EDO here in the ACT has an exemplary history. In fact, the ACT's newest judge, His Honour David Mossop, once managed the EDO here, and early in his career he was a solicitor for the New South Wales EDO.

The EDO works in collaboration with Legal Aid ACT to offer legal assistance focused on the environment. A key function of the EDO is to provide advice to the government about how its laws impact on the environment. For example, the EDO made a submission to the commonwealth parliament's 2014 inquiry into the development of northern Australia to promote a focus on ecologically sustainable development. The EDO has also made submissions on major reviews of the ACT's environment protection legislation.

The EDO has services to address neighbourhood legal problems. For example, if someone has problems with a noisy neighbour, the EDO's fact sheets are a fantastic starting point. For people who need representation for a tribunal or a court matter involving the environment, the EDO is well placed to support them as well.

**MS ORR:** Minister, are the cuts to the EDO related to the commonwealth's decision to cut funding for other community legal centres in the ACT?

**MR RAMSAY:** Yes indeed. These cuts are part of the commonwealth's decision to cut funding more broadly for legal assistance. Community legal centres are particularly hit hard by the commonwealth's decision under the national partnership agreement on legal assistance services. Across the country the commonwealth is cutting funding for community legal centres by \$12.1 million in 2017-18.

Commonwealth funding for community legal centres in the ACT dropped from \$1.122 million in 2015-16 to \$1.072 million in 2016-17. It will drop again to \$807,000 in 2017-18. The remaining two years of the NPA will see a further \$532,000 reduction from the 2015-16 funding level, making the total reduction in funding \$897,000 over four years.

Canberra Community Law estimates that 200 disadvantaged people will have to face court without legal advice as a direct result of the commonwealth cuts from July this year. Here is just one case study, of course with name changed, from the CCL annual report:

[Stacey], an Aboriginal mother of three young children, got behind on her rent while attending to a family crisis out of state. [Stacey] ended up homeless as a result. With help from Canberra Community Law, she was able to negotiate an agreement with Housing ACT to resolve the matter and get housing.

This is who the commonwealth cuts are targeting, people with the greatest need and at the most risk of serious consequences when they cannot get help. This open disregard for our city's most vulnerable people is a demonstration of weak and poor values. The ACT will keep working to support CLCs and to keep up the pressure on the commonwealth to meet its obligations to those in need.

**MR STEEL:** Minister, was the commonwealth decision to cut funding for community legal centres based on any evidence at all about the impacts on the community?

**MR RAMSAY:** I thank Mr Steel for his supplementary. There is indeed plenty of evidence about the impact of these cuts, but it certainly does not seem that the commonwealth government has paid any attention to it. These cuts will increase costs on the community, they will target the most disadvantaged people in our society and they will limit access to justice. On this topic, let me quote the commonwealth's Productivity Commission. The 2014 *Access to justice* report stated:

Disadvantaged Australians are more susceptible to, and less equipped to deal with, legal disputes. Governments have a role in assisting these individuals. Numerous studies show that efficient government funded legal assistance services generate net benefits to the community.

Let me repeat and emphasise that: there are net benefits to the community from investing in legal centres. When people show up to court without legal advice, the process often takes longer, with poorer outcomes that can result in further legal problems. Every dollar that we invest in community legal centres results in savings to the community as a whole and, more importantly, in better service to the disadvantaged.

The decision of the commonwealth government ignores the evidence and damages our community. The ACT Labor government's goal is to have a justice system that is accessible, transparent and timely. Community legal centre funding is one of the most efficient, most fair ways to ensure that our legal system serves those who are disadvantaged. A justice system is not accessible if it only works for people with the financial resources to hire a lawyer.

### **Asbestos—removal**

**MR PARTON:** My question is to the Minister for Workplace Safety and Industrial Relations in regard to loose-fill asbestos. Has WorkSafe ACT tested neighbouring properties after demolition of Mr Fluffy sites to see if those neighbouring properties had been contaminated by traces of asbestos?

**MS STEPHEN-SMITH:** As I have said, air quality monitoring has been undertaken on 100 per cent of the demolition projects, but I would have to take the specifics of the question on notice.

**MR PARTON:** From the perspective of the minister, what level of confidence can neighbours of Mr Fluffy properties or purchasers of the properties have that all asbestos has been removed from neighbouring properties?

**MS STEPHEN-SMITH:** I think the ACT community as a whole and purchasers of neighbouring properties can have a high level of confidence given the processes that WorkSafe has in place to monitor the demolition of all Mr Fluffy properties and the fact that air quality monitoring, as I am advised, does take place and that WorkSafe inspectors, experienced inspectors, are on sites across the city every day. Attendance is based on a risk-based approach.

To put the extent of those words in perspective, to date over 530 Mr Fluffy houses have been demolished, which is more than 200,000 hours of demolition and remediation work. In this time, there have been no major injuries sustained on sites or safety concerns affecting the broader community, which would include neighbouring properties. Again, I will go and look into the specifics, but I am assured that WorkSafe is taking this matter very seriously.

**MR COE:** Minister, what levels of confidence do you have in the asbestos removal program, in particular the air sampling, given the concerns of the Auditor-General, especially as clarified in the corrigendum issued a week or so after the Auditor-General published her report?

**MS STEPHEN-SMITH:** As I said earlier, we welcome the review findings of the Auditor-General. We are preparing our response to the recommendations outlined in the report. I am assured that WorkSafe is conducting its work in a way that is focused on safety. Safety is the key priority. We understand that some issues have been raised around the administrative practices and the documented frameworks and policies. Improvements are being undertaken in relation to this. The government is preparing a full response to the recommendations which will be released in due course.

### **Tuggeranong—cemetery facilities**

**MS LAWDER:** My question is to the minister for planning. In 2008 the ACT government set aside a site on Mugga Lane for a new cemetery. In 2013 the ACT Public Cemeteries Authority Chief Executive was quoted in the *Canberra Times* as saying that a multi-million dollar cemetery and crematorium would be operating in the city's south by 2017, yet in Monday's *Canberra Times* there was a report stating that "the government was reluctant to state whether plans had been scrapped". Minister, has the government scrapped plans for a new cemetery and/or crematorium in Tuggeranong?

**MR GENTLEMAN:** I thank Ms Lawder for her question. Whilst I am not the minister with responsibility for cemeteries, Planning and Land Management is my portfolio. We have looked at the opportunity for a new cemetery on the south side. Those investigations continue. However, in the meantime, before providing certainty on a cemetery site for the south side, we are looking for other opportunities across the ACT to take up that role, if you like. It is important, particularly for the people of Tuggeranong and those living on the south side, to have an opportunity for end-of-life options in that form, and we will continue to work along that process.

**MS LAWDER:** Thank you to the non-minister for cemeteries. Minister, when will Tuggeranong have a cemetery and crematorium?

**MR GENTLEMAN:** It is a matter of timing, looking at the availability of the land and, of course, looking at the other options. We have announced that we are expanding the Woden Cemetery. There is an opportunity there for some take-up before we provide a cemetery for Tuggeranong. It is a concept we have discussed with the community, and we intend to do that further down the line.

**Ms Lawder:** On a point of order, Madam Speaker, the question quite clearly asked when. I did not hear a particular time frame in the minister's response.

**MADAM SPEAKER:** The minister has time to respond to your question. Minister.

**MR GENTLEMAN:** Yes, I said further down the line.

**MS LE COUTEUR:** Minister, can I just clarify. Are you still talking about the Mugga Lane site? You have knocked back a variety of opportunities. I should possibly declare that I was previously a member—

**MADAM SPEAKER:** No preamble, Ms Le Couteur.

**MS LE COUTEUR:** Are you still committed to the Mugga Lane site? It was not clear from your answer.

**MR GENTLEMAN:** At this stage we have looked at the Mugga Lane site. We are also looking at other opportunities on the south side.

**Multicultural affairs—diversity and acceptance**

**MR STEEL:** My question is to the Minister for Multicultural Affairs. Minister, what is the government doing to welcome refugees into the Canberra community as part of our commitment as a refugee welcome zone?

**MS STEPHEN-SMITH:** I thank Mr Steel for the question. As we discussed yesterday in this place, Canberra has a strong record when it comes to social inclusion overall. In particular, we are proudly welcoming of refugees and asylum seekers, and our city leads the way in embracing and supporting those vulnerable members in our community who need help and assistance.

As members would be aware, the ACT was the first state or territory to be declared a refugee welcome zone. In making this declaration, we made a commitment to welcome refugees into our community, to uphold the human rights of refugees, to demonstrate compassion for refugees and to enhance cultural and religious diversity in our community. Indeed, I met with the Refugee Council of Australia this morning to discuss what more we can do to give practical effect to our commitment as a refugee welcome zone.

The government, we recognise, has an important role in including, educating and supporting asylum seekers who settle here to become truly part of our community. That is why last year the former minister, Minister Berry, wrote to the commonwealth seeking to have the ACT included in the safe haven enterprise visa scheme. Without the security of being in a so-called SHEV zone, refugees in Canberra, even those who had been here for a number of years, may have been required to move interstate, away from their communities, friends and support networks.

At the last election Labor made a further commitment to support refugees and asylum seekers looking for employment in the ACT, committing \$1.2 million for a jobs package to address the relatively high unemployment levels of refugees and asylum seekers compared to the rest of the population. On top of individual support and job matching services, we will also work to foster relationships between the ACT business community, government and refugee settlement service providers.

The ACT government has also made changes to the criteria for Australian apprenticeships and skilled capital programs to enable more refugees and asylum seekers in the ACT to access subsidised training. This is on top of our popular and well-regarded work experience and support program.

**MR STEEL:** Minister, what steps are being taken to ensure that Canberra continues to set an example for the rest of the country in how culturally and linguistically diverse communities can flourish and engage?

**MS STEPHEN-SMITH:** I thank Mr Steel for the supplementary question. The ACT has, as I said, a long and proud history of welcoming not only refugees and asylum seekers but also migrants from across the globe of all backgrounds, faiths, colours and creeds. Here we proudly put back up the pictures of Muslim girls waving

Australian flags to celebrate our national day and theirs. Here we build communities, not walls. And, as a result, our city is a true multicultural success story. Our people come from nearly 200 nations and hundreds of languages are spoken in our homes.

The government's commitment to creating and maintaining an inclusive community that captures this cultural and linguistic diversity is set out in the ACT multicultural framework. This framework was developed following an extensive community consultation process with community leaders, peak community organisations and the Canberra community.

To assist with the implementation of the multicultural framework, the ACT government will be establishing a new ACT multicultural advisory council. This new advisory council will provide advice on how we can ensure Canberra continues to pave the way as Australia's multicultural leader by addressing issues that affect culturally and linguistically diverse communities and how we can strengthen Canberra as a welcoming multicultural community. A key task of the council will be to plan for a multicultural summit in 2018.

Expressions of interest for the council will open on 28 February. I encourage all members to draw this to the attention of culturally and linguistically diverse constituents who have an interest in representing their communities. We have many people here in the ACT with a wealth of experience in supporting multiculturalism and helping communities grow. It is essential for us to draw on their knowledge as we continue to set an example for the rest of the country in how culturally and linguistically diverse communities can flourish.

**MS CHEYNE:** Minister, as part of this commitment, how can we all enhance and celebrate the cultural and religious diversity in the community?

**MS STEPHEN-SMITH:** I thank Ms Cheyne for her supplementary question. Obviously, with the marquees going up outside, we can see one way that we are going to be doing that this weekend. Indeed, since becoming minister only a few months ago, I have had the opportunity to participate in a number of events organised by community groups at the grassroots level to engage not only their own members but Canberrans more broadly in celebrating very important cultural events. Just recently, as we were reminded earlier this week in a truly tripartisan MPI debate, there have been numerous celebrations of Lunar New Year, for example.

These celebrations will continue, along with so much else, at the National Multicultural Festival this weekend. This year's festival will see additional accessibility measures in place so that even more Canberrans can participate safely and comfortably. These include a sanctuary for all ages and abilities in Petrie Plaza, near the merry-go-round. There will also be a specific children's sanctuary located across the way at the Canberra Museum and Gallery.

In relation to the footprint, a significant effort has been made to relocate stalls to reduce the congestion experienced last year in some areas. Over the last few months, as mentioned yesterday, the footprint has also been reviewed in consultation with disability peak organisations to ensure better accessibility for people with a disability.

As I have said, the ACT is a multicultural success story, and this weekend we expect more than 280,000 people to flock to Civic to experience a kaleidoscope of music, dance and other performances across seven stages. With hundreds of local, national and international acts and some 400 stalls, there is something for everyone across the three days.

I would like to thank in advance the 4½ thousand volunteers, representing Canberra's multicultural communities, who will showcase their respective cultural traditions and heritage through performances and food from across the globe. The festival is a strong sign of our community's commitment to multiculturalism, and it is something we can all be proud of.

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

### **Statement by Speaker**

**MADAM SPEAKER:** Members, earlier today Mr Rattenbury displayed a solar panel while the Assembly was debating a matter relating to climate change mitigation. Mrs Dunne took a point of order. I said that I would come back on this matter during the day. The *Companion to the Standing Orders* states at page 162:

Speakers of the House of Representatives have accepted that Members may display material to illustrate speeches but 'hoped that Members would use some judgement and responsibility in their actions'. The Assembly has adopted a similar approach. On an occasion when a Member displayed electoral material to illustrate a point with regard to electoral legislation that was before the Assembly, a point of order was taken suggesting that the display was in breach of standing orders. The Speaker ruled that, since the Member had not 'displayed any irresponsibility in his action', there could be no objection to his action.

Members, I also note that in the House of Representatives both a piece of coal and a solar panel have been displayed in the chamber by members. Speaker Smith ruled on Monday this week that whilst displays have occurred from time to time he indicated that he found it most unbecoming and that it would not become a regular feature of question time.

I, members, take a similar view. Whilst I do not think that Mr Rattenbury displayed any irresponsibility in his actions I would urge members to exercise some judgement and responsibility in their actions when displaying material to illustrate and add to their speeches. As *House of Representatives Practice* states at page 508:

The general attitude of the Chair has been that visual props are tolerated but definitely not encouraged.

Thank you, members.

## Papers

**Madam Speaker** presented the following paper:

Auditor-General Act, pursuant to subsection 17(4)—Auditor-General's Report No 2/2017—2016 ACT Election, dated 16 February 2017.

**Mr Barr** presented the following papers:

Remuneration Tribunal Act, pursuant to subsection 12(2)—Determinations, together with statements for:

ACT Civil and Administrative Tribunal—Determination 11 of 2016, dated 1 December 2016.

ACT Magistrates Court Judicial Positions—Determination 9 of 2016, dated 1 December 2016.

ACT Supreme Court Judicial Positions—Determination 8 of 2016, dated 1 December 2016.

Director of Public Prosecutions—Determination 10 of 2016, dated 1 December 2016.

Members of the ACT Legislative Assembly—Determination 7 of 2016, dated November 2016.

Part-time Public Office Holders—Determination 12 of 2016, dated 1 December 2016.

Financial Management Act, pursuant to subsection 30F(3)—2016-17 Capital Works Program—Progress report—Year-to-date 31 December 2016.

**Ms Fitzharris** presented the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2015-2016—Territory and Municipal Services Directorate—Corrigenda.

**Mr Rattenbury** presented the following paper:

Climate Change and Greenhouse Gas Reduction Act, pursuant to subsection 12(4)—Annual report by independent entity—ACT Greenhouse Gas Inventory for 2015-16: with recalculations for 2014-15—Revised, dated 22 December 2016.

## Road safety report card 2017 Paper and statement by minister

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (3.41): For the information of members, I present the following paper:

ACT Road Safety Strategy 2011-2020—Road Safety Report Card 2017.

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

Leave granted.

**MR RATTENBURY:** The ACT road safety action plan 2016-2020 includes a requirement for me to table an annual road safety report card in the ACT Legislative Assembly. Today I am tabling that annual report card. This year's report card provides an update on the government's road safety commitments, including the ACT road safety action plan 2016-2020 and the agreed recommendations arising from the 2014 Legislative Assembly inquiry into vulnerable road users.

It also includes a summary of the government's key road safety achievements over the past 12 months. In relation to the implementation status of the government's road safety commitments, the report card includes four appendices at the back of the document showing the current status of each commitment. I am pleased to inform the Assembly that more than half of these commitments, or 47 of 93, have been completed or implemented as ongoing programs and 31 commitments are either well advanced in their delivery or have commenced and are progressing well.

Thirteen items are yet to commence but we have a plan to ensure that these commitments are progressed over the next four years. Some commitments are very close to completion. Next month I will be opening the much anticipated Learn to Ride Centre at Lake Tuggeranong and shortly after that I will release an ACT road safety education strategy.

Also in 2017, work will start on a trial of chevron road markings to educate drivers about safe following distances. Chevrons are a series of inverted Vs. They indicate that a safe following distance is achieved if the driver can see a minimum number of chevrons between their vehicle and the vehicle in front. Community consultation will also be undertaken on options for reforming the ACT's graduated driver licensing model for learner and provisional drivers. We are ahead of schedule with another four years to go under the current ACT road safety strategy.

The government's key achievements over the past 12 months include the active streets pilot network, National Road Safety Week, the new driver competency relating to vulnerable road users, and legislative reforms giving police enhanced investigative powers and stiff penalties as an alternative to undertaking a high risk pursuit where a driver fails to stop for police.

The active streets pilot included a range of infrastructure improvements to make the environment around schools safer and easier for students to walk and cycle. The infrastructure improvements include the installation of dragon's teeth road markings, 30-kilometre an hour speed limits, improvements to path connectivity, and improvements to part way drop off areas such as playing fields which are within a short walking distance of the school. The active streets pilot locations were Macquarie, Macgregor, Latham and Mount Rogers primary schools.

The active streets concept is all about making our school environments feel safer by

reducing the number of cars in those areas. It is about giving parents the confidence to let their children walk and ride to school with their mates just like most of us walked as children. Back in the 1970s and 1980s we had over 70 per cent of kids walking and riding to school. Today, that number has dropped to around 25 per cent. Active streets is helping Canberra families change their routine and get back to walking and riding. It is helping road safety because fewer cars equal less risk. It also reduces pressure on infrastructure around the school, particularly parking.

The good news is that active streets does not stop here with this pilot. Last year Minister Fitzharris and I announced that the program will be expanded with further investment of \$1 million over the four years to extend the reach of the program to other schools.

In March 2016, the previous Assembly passed new laws to support reforms to police pursuit policy in the ACT and reduce the number of police pursuits on ACT roads. As a result of these legislative reforms, police will no longer pursue drivers unless it is necessary to prevent a serious risk to public safety. Drivers who commit the offence of failing to stop for police are now subject to a maximum penalty of 12 months imprisonment and up to \$15,000 in fines, increasing to three years imprisonment and up to \$45,000 for repeat offenders. Drivers can also have their licence suspended and vehicle seized. The registered owner of a vehicle which was used to commit the offence can also face serious penalties if they do not provide information to police about who was driving the vehicle when the offence was allegedly committed. These laws have provided ACT Policing with alternative avenues for identifying, apprehending and prosecuting offending drivers rather than undertaking a high risk pursuit. These laws will save lives.

In 2016 once again the ACT was central to arrangements supporting National Road Safety Week with the event organiser, Safer Australian Roads and Highways, asking the ACT government to host the national launch. The launch event included a display of empty chairs and empty tables placed at City Walk representing the 50 people killed on ACT roads over the past five years. It was a stark reminder of the impact of road trauma on our community. That morning we had a woman stop and break down in tears as she told directorate staff that one of those 50 people was a close friend of hers. There is nothing satisfying about a reaction like that. It reinforces to me the deep and distressing personal impact of road trauma and it makes me more determined and more focused on Vision Zero.

In August we introduced a new driver competency relating to vulnerable road users. A learner driver applying for a provisional licence is now required to demonstrate good observation skills, recognition and risk management and display appropriate and calm decision-making to mitigate and avoid risk and harm to any vulnerable road users.

The initiative also included the expansion of the road rules knowledge test to include a section on vulnerable road users in which the applicant must answer all questions correctly in order to pass the test. I can see this bringing about generational change, a new generation of drivers who automatically recognise that they need to look out for road users who are more vulnerable than they are; a generation of drivers who

immediately see cars for what they are, over a tonne of metal which can kill in an instant.

We have achieved a lot but it is really hard to reflect on our road safety initiatives and achievements knowing that people still die on our roads. As I touched on earlier, the report card also covers the ACT's statistical measures of progress, including ACT reporting against the national road safety performance indicators. This section, which commences from page 7 of the report card, shows that the ACT continues to perform quite well when compared to other jurisdictions.

For example, in 2015 the ACT continued to maintain a lower number of road fatalities per capita than the national average, with 3.8 fatalities per 100,000 population compared with 5.1 road fatalities per 100,000 people nationally. The annual number of road deaths per 100,000 population is a measure used nationally to monitor road safety performance.

However, there has been an increase in the ACT's rate of deaths since 2013. During that time the ACT's rate of deaths increased from 1.8 deaths per 100,000 population in 2013 to 3.8 deaths in 2015. Nationally, road crashes are increasing, particularly in New South Wales and Victoria. It is deeply concerning and it has become a key focus area for road safety ministers across the country. A range of additional road safety responses is being considered to address this upward trend and a new national action plan is being developed.

In the ACT we have seen a significant increase in road trauma among vulnerable road users, and cyclists and motorcyclists in particular. This reinforces the need for us to continue our efforts to implement the ACT action plan, which has a very strong focus on the Vision Zero philosophy, and improving road safety for vulnerable users.

There is much we need to do, and we will need to work closely as a community if we are going to achieve our road safety goals. As a community, I think we are becoming complacent about road safety, and it is a real concern. There is a real issue of optimism bias. We have got people who will not step in the ocean because they are afraid of being attacked by a shark but who never question their safety when using the roads. But the fact is you have got more chance of being killed in a road crash than you do of being taken by a shark.

For young people, road crashes are still a leading cause of death. We do not stop and reflect on fatal road crashes like we do for other tragedies. Life just seems to go on, despite someone having died in what is generally a set of preventable circumstances.

I have had these conversations with many people in the road safety community. There are so many "what ifs". What if we had a roundabout or a lower speed limit at that intersection? What if the car had a five star ANCAP safety rating? What if the driver grabbed a lift home instead of driving drunk? Would that family's child have died? Those are the questions that continue to drive me and help to focus me and my team on making a difference. We will not stop in our quest to do things better. It must be Vision Zero. Madam Speaker, I am pleased to table the ACT Road Safety Report Card for 2017 in the Assembly.

## **Justice and Community Safety—Standing Committee Report 7—government response**

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (3.51): For the information of members, I present the following paper:

Justice and Community Safety—Standing Committee (Eighth Assembly)—  
Report 7—Inquiry into Auditor-General’s report on rehabilitation of male  
detainees at the AMC—Government response.

I move:

That the Assembly take note of the paper.

I present the government response to the Justice and Community Safety standing committee inquiry into the Auditor-General’s report on the rehabilitation of male detainees at the AMC.

In March 2016 the Assembly was advised that the Justice and Community Safety standing committee would inquire into and report on the 2015 Auditor-General’s report. The Auditor-General’s report recommended increased efforts in relation to detainee case management and rehabilitation programs at the AMC. The ACT government response was tabled in the Assembly on 4 June 2015 and acknowledged the need for improved structured activity and employment opportunities for detainees. The response also committed to improving rehabilitation efforts for all detainees.

The JACS standing committee inquiry hearings were held in April and May last year and evidence was provided by the Auditor-General and her audit manager, the ACT Human Rights and Discrimination Commissioner, the Victims of Crime Commissioner, members of Prisoners Aid ACT, members of the JACS executive and Corrective Services senior management, and the Aboriginal and Torres Strait Islander Elected Body via a written submission.

The final report was tabled on 3 August last year. It made 12 recommendations relating to the delivery of rehabilitation programs within the AMC, improved data management within Corrective Services, oversight of the AMC and the observance of parliamentary privilege and standing orders.

Seven of the committee’s recommendations provide suggestions to guide further development of Corrective Services’ initiatives to address rehabilitation, building on the original recommendations of the Auditor-General. The government has agreed to these recommendations, as well as considering the relevant conclusions and comments in the report.

Madam Assistant Speaker, the criminogenic needs of detainees are complex. Many detainees lead lives affected by health conditions, substance addictions, experiences of trauma or limited education and literacy. As with the Auditor-General's report, the standing committee report also recognised the complexities in providing rehabilitative services within the AMC. But it is essential that we focus more efforts on rehabilitating people in the criminal justice system to reduce recidivism and improve community safety.

As I outlined when tabling the government response to the Auditor-General's report, the development of an overarching rehabilitative framework that is suitable to the particular environment at the AMC is challenging. Integrated rehabilitation solutions within the AMC are being constantly developed and refined as the facility itself matures.

I can advise the Assembly that work is currently underway to develop a comprehensive rehabilitation framework that will provide an inclusive and holistic offender management framework for both detainees and community corrections clients, and for both men and women. This framework will shape a seamless service delivery model for offenders, including addressing risk and enhancing skills to support detainees to make more pro-social choices.

The ACT government has invested in building greater capacity for rehabilitation of AMC detainees in terms of the physical infrastructure, and that is an ongoing process that will continue in the years ahead. In 2016 the new prisoner industry and multipurpose facilities were completed at the AMC. A haircutting facility, expanded laundry and a new bakery have created increased opportunities for detainees to participate in employment opportunities as part of a medium to long-term strategy to add structured time to out of cell activities. The recently released report on government services data shows that there has been a notable increase in detainee employment participation in the 2015-16 financial year.

I am pleased that the ACT government continues to be the strongest performing jurisdiction in Australia when it comes to detainees in education and training, with a rate more than double the national average.

Expansion of the AMC accommodation facilities, completed since the Auditor-General's report, has enabled the extension of accommodation-based program delivery. An excellent example of this is the residential solaris therapeutic community, which is run within a wing of one of the new accommodation units. This program addresses behaviours relating to addiction.

In addition, the opening of the special care centre has provided an accommodation wing in which detainees who are vulnerable and require ongoing psychological care can access appropriate treatment. This facility, along with the opening of the secure mental health unit, or Dhulwa, now sees a three-tiered accommodation placement system for detainees requiring specialised mental health care.

At the AMC the crisis support unit accommodates detainees in immediate crisis while the special care centre holds detainees needing ongoing psychological support. The separate Symonston Dhulwa unit run by ACT Health is available to securely provide longer term treatment for detainees with serious mental health conditions.

I am pleased to report that the ACT government has progressed the capacity for improved data management within Corrective Services. The rollout of the new information management system is underway. This system will not only bolster the ability to capture and retrieve data on rehabilitation at the AMC but will assist in all areas of offender management. The government has also agreed to advance the recommendations for increased oversight at the AMC via the creation of an ACT prison inspectorate. Work is underway to establish this new function.

The government thanks the witnesses to the standing committee inquiry for their evidence. In particular, the government thanks Prisoners Aid ACT for appearing and for their submissions. I take this opportunity to acknowledge the contribution they make, in partnership with government, to provide important services for detainees and their families.

Madam Assistant Speaker, I would also like to briefly address the matter of letters between Corrective Services and Prisoners Aid ACT which were subject to additional hearings on 18 July 2016 and which are annexed to the standing committee report. This exchange of correspondence highlighted the obligations on witnesses, especially government agencies, who participate in committee inquiries.

I can inform the Assembly that recommendations 10 and 11 of the standing committee were addressed in August 2016. Information and training on parliamentary privilege obligations has been provided to ACT government agencies. It is also now included in the whole-of-government executive induction package. This incident prompted mandatory training of JACS executives and senior management on parliamentary privilege, the ACT social compact and ACT public service values and behaviours as they relate to community stakeholders and organisations. This has proven to be valuable, and training delivery will be ongoing.

Recommendation 12 of the report relates to the adequacy of the standing orders. I understand that this matter was raised with the Clerk who has advised it would be brought to the attention of the new Speaker, with a view to taking the matter to the Standing Committee on Administration and Procedure for its consideration when it reviews the standing orders.

Finally I thank the JACS standing committee for its report and for the opportunity to refocus on the work, which has been done to date and which is ongoing, for the rehabilitation of detainees at the AMC.

Question resolved in the affirmative.

## **Treatment in custody of Steven Freeman—independent inquiry**

### **Government response**

**MR RATTENBURY** (Kurrajong—Minister for Climate Change and Sustainability, Minister for Justice, Consumer Affairs and Road Safety, Minister for Corrections and Minister for Mental Health) (4.00): For the information of members, I present the following paper:

Treatment in Custody of Steven Freeman—Government response to the Independent Inquiry.

I move:

That the Assembly take note of the paper.

Mr Steven Freeman died in custody at the Alexander Maconochie Centre on 27 May 2016. In response, on 2 June 2016 I announced an independent inquiry into Steven Freeman's treatment and care while in custody. The inquiry, undertaken by Mr Phillip Moss, commenced on 24 June 2016, and his report was provided to me on 7 November, under the title *So much sadness in our lives*. Today I present to the Assembly and the community the government response to that report.

The death of a young Aboriginal man in the care of the AMC was tragic. I acknowledge the grief and anger of the family and the broader community over the loss of Mr Freeman. I would like to assure them and the Assembly that the government's positive response to all of the recommendations of the Moss report, and the other actions that have commenced since Mr Freeman's time in the AMC, are designed to improve the treatment and care of all detainees.

Mr Moss made many conclusions beyond these eight defined and concrete recommendations, and again I assure the Assembly that the government will work through these conclusions as part of the implementation plan. These recommendations and conclusions have ushered in a period of transformation and will be realised through a program of continuing reform in the ACT corrections system.

The Moss report sets out clear systemic issues that must be addressed to improve the safety and welfare of detainees. Our services need better integration. Coordination and information sharing must improve between directorates and government agencies and with our non-government community service providers. In particular, Mr Moss recommends that the health care for Aboriginal and Torres Strait Islander detainees be more closely coordinated with Winnunga Nimmityjah Aboriginal Health Service.

To ensure that this recommendation is actioned, both the Justice and Community Safety and the Health directorates will begin discussions with Winnunga on the formation of a working group. It is clear that we need to work in close partnership with all local Aboriginal and non-Aboriginal providers to ensure a more holistic approach, and I am committed to achieving this.

I will also convene a high-level working group to drive overarching implementation of the Moss response and the government's acceptance of the recommendations. I want to make it clear that this government response will not be lost to this moment in time but will instead serve as the genesis for longer term cultural and practical change. I commit to providing annual reports to the Assembly on the implementation of these recommendations and conclusions.

The government recognises that the community and the Assembly need reassurance that the services provided to detainees are in line with best practice and community expectations. In response to this need and under my direction, JACS has commenced work on a new oversight agency for the AMC: an inspectorate of custodial services. This inspectorate function is a response to the Moss inquiry's observations in recommendation 8 about the need for enhanced oversight of critical incidents at ACT correctional facilities.

While acknowledging the existing powers of the Ombudsman and continuing to explore opportunities to better engage their services, I believe that as a jurisdiction it is time that we had a dedicated oversight agency that will offer both proactive and reactive scrutiny of the AMC. This dedicated service will work within our strong human rights framework and have clear linkages to the Ombudsman's functions.

I will be publically releasing the report this afternoon, and I am happy to provide further dedicated briefings to any members of the Assembly on its contents. I would like to acknowledge the grief of the family again at this time, and thank Julie Tongs, the CEO of Winnunga, for her support to them and her ongoing commitment to improving outcomes for Aboriginal and Torres Strait Islander people.

I would also like to again acknowledge the work of Mr Moss and his team in undertaking his inquiry, and the efforts of the justice and Health directorates in particular in supporting me to develop this response. To achieve change of this nature and ensure it is lasting requires great determination and focus. I am confident that the ACT government understands this and will meet this challenge with collaboration and dedication.

Question resolved in the affirmative.

## **Official Visitor for Disability Services—annual report 2015-2016 Paper and statement by minister**

**MS STEPHEN-SMITH** (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (4.05): For the information of members, I present the following paper:

Official Visitor Act, pursuant to section 17—Official Visitor for Disability Services—Annual report 2015-16

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

Leave granted.

**MS STEPHEN-SMITH:** I am pleased to table in the Legislative Assembly today the disability services official visitor annual report for 2015-2016. The Official Visitor Act 2012 requires me as operational minister for the Disability Services Act 1991 to provide to the Legislative Assembly an annual report collating the information received by the operational minister throughout the year from the Official Visitors appointed under the act.

The role of Official Visitors, as members may know, is to visit, talk with, receive and consider complaints from and exercise other functions in relation to people considered to be an entitled person under the Disability Services Act 1991. In this capacity the Official Visitors are also required to report to me as the relevant minister on occasions where, on reasonable grounds, the visitor believes the care arrangements or living conditions of a person receiving support at a visitable place are inadequate or where a complaint has been made.

The Official Visitor program is one part of a suite of important oversight and quality assurance mechanisms designed to provide rigorous scrutiny of and support to services, with the goal of ensuring the best possible outcomes for people with disability in the ACT. This system includes the formal oversight functions of the Public Advocate, the Disability and Community Services Commissioner and the Human Services Registrar, as well as informal mechanisms such as advocacy and support through the newly established Office for Disability and other community advocacy bodies like ADACAS.

The 2015-16 Official Visitor annual report describes an overall positive environment in terms of care and support in disability accommodation services. The report commends the then Disability ACT staff for their work throughout the transition to the national disability insurance scheme, acknowledging that the change was challenging for them but that a high standard of assistance and information exchange was maintained.

The Official Visitor annual report points to particular concerns for younger people living in aged-care facilities. The level of care is generally noted to be good, but the options for younger people to engage in age-appropriate activities can be few, access to the community can be limited, and autonomy can, at times, be curtailed. Concerns were also noted that knowledge about the national disability insurance scheme and the supports that might be available to younger residents may be insufficient, which could result in those people being unaware of possible alternative options available to them.

The report also points to challenges arising from the transfer of former Disability ACT properties to the community resulting in complexity over what now constitutes a “visitable place”. This issue is currently under investigation by the Human Services Registrar. The ongoing work of the Official Visitor for Disability Services, including

Developing options for how to address the issues raised in the report, is now being supported by the Human Services Registrar in lieu of Disability ACT.

I have pleasure in presenting the disability services official visitor annual report for 2015-2016.

## **Domestic adoption process in the ACT**

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

**MS STEPHEN-SMITH** (Kurrajong—Minister for Community Services and Social Inclusion, Minister for Disability, Children and Youth, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Multicultural Affairs and Minister for Workplace Safety and Industrial Relations) (4.09): For the information of members, I present the following paper:

Domestic Adoption Process in the ACT—Review—Final report, dated February 2017

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

Leave granted.

**MS STEPHEN-SMITH:** Today I am very pleased to share with members the outcomes of the domestic adoption task force. The task force was established in response to a Legislative Assembly motion in August 2016 in order to identify issues and make recommendations about the timely and appropriate completion of domestic adoption processes in the ACT. The Community Services Directorate is already working to address some of the issues identified in the report, and a full government response will be delivered by the end of March.

It is important to note that the task force's work supports the government's commitment to improve permanency for children and young people under A step up for our kids, the government's five-year reform strategy for out of home care. This reform agenda includes a focus on achieving permanency in a timely manner for children and young people who are unable to live with their birth families. Our long-term goal has always been to achieve permanency for children and young people either through restoring children to their parents or by maintaining a stable relationship with carers. The recently released report on government services shows that we have been moving in the right direction in achieving this goal. As part of A step up for our kids the ACT government introduced significant reforms to achieve permanency earlier for children and young people in care. The government made these changes to increase stability, improve life outcomes and better support children and young people in out of home care. In this context we consider adoption first and foremost as a service for children and young people, an outcome that will help them to achieve lifelong stability, permanency and identity.

In the ACT, permanency can be achieved through either an adoption order made by the Supreme Court or through an enduring parental responsibility order made by the Children's Court. For reasons related to the circumstances of the individual, one order

may be more suitable for a child or young person than the other. Adoption is a legal process that permanently transfers all the rights and responsibilities from a child's birth parents or anyone with parental responsibility for the child to their adoptive parents. A new birth certificate is issued for the child recording the names of the adoptive parents as the legal parents and, if given, the new name of the child.

Domestic adoption involves a child who is born in or is living permanently in Australia before the adoption and excludes intercountry adoption. These adoptions typically involve a long-term carer, step-parent or relative. All domestic adoptions in the ACT are open adoptions, which means there is an open exchange of information between all parties. This is accepted as best practice.

Decisions about the permanent removal and adoption of a child are complex. Ensuring that adoption is in the best interests of the child takes time and is often affected by complex issues and procedural requirements. The role of the domestic adoption task force was to address these complexities and identify areas for improvement. The task force sought the views of the people who have experienced the domestic adoption process firsthand. The taskforce also explored processes in other jurisdictions where reform in this area is occurring.

The task force's report reflects the views, experiences and expectations of the community regarding timeliness in the adoption process and provides recommendations to ensure the best interests of children and young people remain central at every stage. The report identifies four key issues that contribute to delay in the domestic adoption process. First, a breakdown or lack of communication between agencies, adoptive parents and birth families can cause delays and frustration. This was highlighted by many respondents to the public consultation. Second, assessing people for adoption who have already met foster care assessment requirements involves duplication and can create delays.

Third, and most significantly, obtaining consent from birth parents to the adoption takes necessary time to allow birth parents to fully consider their options and ultimately make their decision. Delays can occur when an application to dispense with consent is required, including when birth parents cannot be located or are refusing to engage with the process or with the child's life.

Four, a lack of support for any party can slow the process. Resourcing challenges and increasing demand pressures across the system affect the experience of those participating in adoptions. While timeliness is important it is also equally important that the process guiding adoption orders is robust, considered and transparent for all parties involved. The impact of a failed adoption is significant as this can result in further trauma and adversely affect the long-term outcomes for children and young people.

In response to these findings the report makes several recommendations for improving the responsiveness of services and support provided to all parties throughout the adoption process. The first recommendation is to put in place a communication plan identifying key stages where communication between all parties to an adoption should be actively supported. The government supports this change, which will help

strengthen vital links between agencies, adopting parents, birth parents and support services. The second recommendation is to improve the availability and quality of information online about domestic adoption. This change is aimed at providing greater clarity around time frames and making the adoption process more easily understood.

The third recommendation concerns a major issue affecting timeliness of the adoption process—the consent process. Further work is proposed to explore dispensation of consent provisions in the Adoption Act 1993. When the consent process goes smoothly, both birth parents are easily identified, have had contact with the Community Services Directorate and agree that the adoption is in the child's best interests. These adoptions are usually processed within 12 months. However, when the consent process does not go so smoothly, it may take up to three years to resolve, significantly delaying the adoption outcome.

Issues involving consent that may cause a delay include, for example, where multiple partners have been identified by the birth mother and limited information is available about the location, identity and the paternity of the child. In other situations a birth parent may deny that any abuse of their child has occurred and refuse to consent to the adoption on the basis that the removal of their child is unjustified. In domestic or family violence circumstances the safety of either the child or birth parent may be at serious risk if the other birth parent or relative were to be informed of the adoption.

The task force found that current requirements for dispensing with consent from birth parents are restrictive and that other jurisdictions have taken a different approach on some of the issues that arise. Changes could allow the ACT to better respond to the range of circumstances involved in adoption, but we recognise that this is a complex issue.

I know my colleagues across the floor may continue to raise questions about the timeliness of the adoption process, but I would like to remind them that we are dealing with the lives and identities of children, often some of our most vulnerable. Adoption requires time and support, particularly where it involves dispensing with consent from birth parents. It is important that we do not shy away from consent issues. However any consideration of adding or amending provisions to dispense with consent will involve extensive consultation, compliance with the Human Rights Act 2004 and balancing the rights of birth parents with the rights and best interests of children and young people.

The task force has found that the provision of specialist resources within Child and Youth Protection Services would help improve the assessment process and the delivery of adoption services. Process improvements will also require collaboration between government directorates and the community sector.

The final recommendation of the report is to continue to transition the delivery of adoption support services to the community sector, as outlined under A step up for our kids.

Additional policy issues were also raised for further consideration. For example, the task force has proposed that the government explore the introduction of integrated birth certificates in the ACT. This concept recognises both the birth parents and adoptive parents on the birth certificate of a person who has been adopted. Other jurisdictions have implemented this measure, and the government will consider the proposal in developing its response to the task force report.

In conclusion, the ACT government is committed to improving children's access to timely, stable and permanent care arrangements, and adoption is one of a number of permanency options available. We will continue to reform our processes and to drive positive and timely change to the domestic adoption process. I would like to thank the many contributors to the task force, particularly those who took the time to reflect on their own experiences of the domestic adoption process. I commend the review of the domestic adoption processes in the ACT to the Assembly.

## **Road maintenance**

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

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

The importance of better road maintenance to Canberrans.

**MRS KIKKERT** (Ginninderra) (4.19): I am delighted to bring this matter of public importance in my name to the Assembly today. The ACT government's role is to provide excellent local services to the people they represent and were elected to serve, and road maintenance is an important part of these local services.

It is certainly a matter of public importance to Canberrans. I spoke with many thousands of people as I was campaigning last year, and the poor quality of the ACT's roads and associated infrastructure was easily the most common complaint that I heard; and for good reason. As road maintenance experts Sally Burningham and Natalya Stankevich have noted, firstly, roads make a vital contribution to economic and social development, uniting communities and providing access to employment and social, health and educational services. Secondly, over time, all road infrastructure ages, and, because of this, roads require regular maintenance and renewal before they reach a stage of significant deterioration. Thirdly, regular road maintenance not only preserves current assets but also lowers future costs for citizens, road users and ratepayers. Fourthly, the condition of road surfaces is an important factor in transport safety. In addition, the condition and quality of our roads contribute to the image of the national capital and the perceptions of visitors to Canberra.

With these points in mind, it would seem that the residents of Canberra who have spoken to me both before and after last year's election often have a clearer

understanding of the need for better road maintenance and general urban services than the ACT government itself apparently does. Ideologically charged debates on issues that will never be decided in this chamber should not—indeed cannot—replace the central role of this government in providing world-class infrastructure and attendant urban services.

Unfortunately, for years, the pattern in the ACT has been for the territory and municipal services directorate to set targets for the resurfacing of both the territorial road network and the municipal road network, only to fail year after year to meet these targets. This has created a serious backlog of adequate road maintenance as more and more roads have fallen behind schedule for essential repair and renewal, increasing the risk of irreversible deterioration, posing a safety threat to all road users and almost certainly increasing the cost of future repairs to these roads.

The one bright spot in this rather depressing story is that, according to the TAMS annual report for 2015-16, the directorate finally reached its annual road maintenance targets last year, a feat that, according to the same report, was made possible not because the territory's finances have been managed in order to provide adequate road maintenance funding but rather because roads to recovery moneys provided by the commonwealth government allowed TAMS to resurface nearly double the number of square metres that they did in the previous two years. In other words, without assistance from the federal Liberal government last financial year, the backlog of roads in the territory awaiting needed maintenance would have grown even larger.

As it is, the road maintenance targets for last year were just barely reached. The goal for the territorial road network was five per cent; 5.1 per cent was achieved. The goal for the municipal road network was four per cent, with exactly that figure being reached. This means that, in the words of the annual report, “the backlog of resurfacing works throughout the territory” was “maintained”. We can all be grateful, of course, that this backlog did not once again grow even larger and more unwieldy, but it must be pointed out that unless the ACT government at some point actually starts to reduce this backlog of roads awaiting their scheduled maintenance, it is only a matter of time before these roads begin to fail and can only be restored to use through very costly repairs.

Many of Canberra's road users may not fully understand the projected lifespan of certain road surfaces and the resulting schedule of resurfacing that our road networks therefore require, but they can certainly see the poor quality of the roads that has resulted from the ACT government's chronic neglect regarding this matter. Numerous roads in the territory are pitted with potholes and often the repairs to these potholes do not last. I have personally spoken with constituents who have told me of potholes that have returned mere weeks after being filled.

This is unacceptable, but it highlights a more important issue. As indicated by Burningham and Stankevich's research, the appearance of potholes is one sign that road maintenance has not been performed on schedule. Roads that look acceptable and usable on the surface are often hiding significant problems below. By the time these problems become apparent on the surface, considerable deterioration of the road bed has frequently occurred.

When resurfacing of the territory's roads does occur, for nearly 85 per cent of the time, as measured in square metres, this resurfacing is with chip seal, not asphalt, which is certainly a more attractive option from the perspective of cost. Chip seal, however, requires fairly high traffic for the loose gravel to be compacted into a suitable surface. This can be a real problem when this resurfacing method is used in low traffic municipal streets such as cul-de-sacs. In 2014 Minister Rattenbury admitted that TAMS was no longer using chip seal in the car parks at shopping centres because of its "obvious difficulties". Yet these same obvious difficulties occur equally in the quieter suburban streets where chip seal is still being used.

Failing roads, frequent repairs, the use of unsuitable resurfacing materials and disruptions to commutes are just some of the problems Canberrans face most days as a consequence of poor planning. Complaints concerning other infrastructure issues that accompany municipal roads in particular are also raised with me and other members of this Assembly. The city's footpaths are often in a shocking state of disrepair, and, as we learnt in this chamber just last year, there is no formal inspection program for paths, meaning that, unlike for roads, where a maintenance schedule exists, even if it is neglected, there is, in effect, no formal programmed maintenance for these important structures.

Canberra residents, of course, can contact government services and report cracked and uneven footpaths, and I have spoken to a number of constituents who have done just that. But what happens thereafter seems to be anybody's guess. More than once, residents have pointed out to me sections of a footpath that, after having been reported, have had their breaks and cracks spray-painted, presumably to identify them for repair. In each case the paint had been there for so long that it was nearly completely faded, yet the footpaths remained cracked and uneven. Such a situation creates a very difficult and often unsafe situation for normal pedestrians. Try to imagine being in a wheelchair or pushing a pram.

Just last week I spoke with an elderly constituent who lives in a street with no footpaths at all. This good woman wants to be out and about to get some exercise but relies upon a walking frame and finds it difficult to do so considering the rough, uneven nature of the road surface and the fact that she has to share it with cars. This is not okay. Elderly Canberrans who want to be active should not feel that they have no safe surfaces to walk on. Road users should not have to worry that the territory's poorly maintained roads will claim another of their tyres. Residents of this city should not have to face the frustration that comes from inadequate repairs to the streets in their suburbs.

We can do better than this. The poor condition of Canberra's roads is just one symptom of what seems to many Canberrans to be systemic neglect on the part of the ACT government to maintain the infrastructure of the city's suburbs. I note that many of the large tree branches that came down around my electorate as a result of the windstorm on 13 January this year are still lying along our streets, across our crumbling footpaths and in our neglected parks. These same parks spend much of the year with overgrown grass obscuring their ageing, broken playground equipment and no longer functioning bubblers. This general shabbiness does not befit the nation's capital.

**MS FITZHARRIS** (Yerrabi—Minister for Health, Minister for Transport and City Services and Minister for Higher Education, Training and Research) (4.30): It gives me great pleasure to talk today on this MPI, and I thank Mrs Kikkert for it. All of us in this place take these local constituent issues very seriously. Probably no-one has such a wide view across the range of issues raised than me, in this really wonderful Transport Canberra and City Services portfolio which I have the privilege of holding.

This government has a very strong track record of investing in better roads and footpaths and active travel infrastructure across our city. Following Canberra's very strong endorsement of our fully costed better roads plan at the last election, we are getting on with delivering on our commitments. It is often remarked, despite Mrs Kikkert's speech, that Canberra does have some of the best roads in Australia. There is work to do, but this government is focused on ensuring that this remains the case.

Canberra's road network is, of course, more than just the bitumen we travel on from day to day. It is our bridges, our paths, our stormwater drains, driveways, street lighting and expanding our increasingly growing cycle network. We have over 3,000 kilometres of roads to manage. Added to that we have 964 bridges, 2,400 kilometres of footpaths, more than 400 kilometres of cycle paths, 3,700 kilometres of stormwater infrastructure, 400 kilometres of on-road cycle lanes, 300 sets of traffic lights and over 79,000 streetlights, all maintained by the Transport Canberra and City Services Directorate.

The directorate manages the whole road network of the ACT, including arterial and local streets. Each kilometre of road and road infrastructure in Canberra is underpinned by more than road base; it is supported by a maintenance program that supports repairs and general maintenance through to complete replacement. TCCS undertakes a number of programs to maintain our road network, and safety is paramount. We prioritise our maintenance programs to ensure all Canberrans can travel safely on our roads.

In my capacity as health minister, people would expect me to say—and I have—that prevention is better than cure, but this adage applies also to my role as Minister for Transport Canberra and City Services. Prevention is better than a cure when it comes to the maintenance of any asset, as Mrs Kikkert also noted. Proactive scheduled maintenance is key to ensuring the highest quality of our roads.

Road resurfacing is an important step in maintaining our road network as it can extend the life of the existing road for between 10 and 15 years, keeping them safe and usable. The most cost-effective strategy in the long term is to invest in planned preventive maintenance to avoid as much as possible reactive, more extensive and more expensive repairs.

Resealing is the most commonly noticed roadwork activity in Canberra. It is often viewed by the community as an impost. Madam Assistant Speaker, I could tell you I receive a number of constituent inquiries about why a road where it looks like nothing is wrong is being resealed. I know now, after lengthy meetings with our very skilled

engineers in Roads ACT, that that is the best time to be resealing a road. I know that it can be frustrating for members of the community to see a road being resealed when it looks on the surface to be in good condition, but this is exactly the time that we should be resealing roads—preventing any further damage. It is preventive and it is very carefully planned, and includes detailed analysis of the road condition. It is used to help prevent more costly and temporary corrective treatments like pothole patching, pavement rehabilitation and road reconstruction. An annual road pavement resurfacing program is carried out to provide safe driving conditions and prevent premature failure of our roads.

TCCS is continually investigating and trialling new surface treatments. Trials are currently underway on several different treatment solutions, and if these are successful they will be included in future resurfacing programs. Just this week Roads ACT, as members may have noticed in local media, is trialling a product called Tonerseal on Onkaparinga Crescent in Kaleen. This is the first area in the ACT where this product has been trialled. The use of this product sets a new benchmark in sustainability and innovation. The solution will be sprayed onto the road pavement and covered with aggregate.

Tonerseal is a world-first toner and rubber modified spray seal binder that pioneers the use of waste items such as toners from printers, photocopier toner and crumb rubber from used car tyres that would typically be stockpiled or sent to landfill. A total of 1.4 kilometres of road will have this product applied, saving 990 kilograms of carbon dioxide emissions. 8,960 recycled printer cartridges and 203 tyres will be incorporated into the road resealing mixture in the trial which would otherwise have gone to landfill.

I will talk briefly about the weather impacts on our natural and built infrastructure. I particularly note the significant rainfall that the ACT experienced last year. Certainly, in my role as Minister for Transport Canberra and City Services, this had a major impact not only on our weed and mowing program but also on our road maintenance program and our road construction program. We went to extensive efforts across a number of different channels to inform the community that the weather impact was significant. That additional rainfall not only meant that there were a number of days when TCCS staff could not be out doing the work that they do every day, including road resealing, road construction, mowing and weeding, but also, contributing to that, the rainfall actually caused additional damage and additional growth in weeds, for example. They have been working very hard to make up for the time lost due to that significant rainfall.

I also note Mrs Kikkert's comments about the storm damage in late January. Just this week TCCS put out a media release to encourage the community to understand that that was an enormously significant event. TCCS has been working with ESA and other partner agencies to continue the clean-up from that. I did ask this week for the community's understanding in that because it was a significant event. There was significant damage from the storm event which TCCS and its partner agencies are also working very hard, along with their normal schedule of events, to clean up.

I ask members to take note of those sorts of messages about crews working very hard on the infrastructure assets of the city, which many other cities across the country are rather envious of because of their high quality. It would be appreciated if they could also pass that on to their constituents.

The ACT government also invests on average over \$18 million per year on road maintenance, including street sweeping a distance of 15,000 kilometres each year, replacing or repairing close to 5,000 road signs, resurfacing of over one million square metres of road pavement, repairing over 4,000 potholes, and replacing over 18,400 square metres of damaged footpath and cycle paths.

Madam Assistant Speaker, as you know, the Barr Labor government will also invest in more road maintenance funding. We will undertake a road resealing blitz, with an additional \$6 million to be invested across the city to ensure our roads are well maintained and safe for all road users. This will be in addition to our regular resealing program. It was part of our costed roads plan that we took to last year's election.

I will comment also on our significant cycle and footpath network. Of course, the city was built in different periods and across many suburbs in Canberra the design standards of the days when that suburb was built are not the same as the design standards of today. Many suburbs were built without footpaths. There is an extensive program underway to maintain existing footpaths and install footpaths where there were none originally installed. I particularly note the age-friendly suburbs program which has been underway for a couple of years. That focused initially on Kaleen and Monash and will be rolled out to a number of other suburbs across the ACT. It is specifically for aged Canberrans, to make sure they can move easily, by both walking and cycling, if they wish to, around their local suburbs, particularly to places of significant community interest like local shopping centres and community centres. That will be in addition to ongoing work to invest in our cycling and footpath network.

Every element of our infrastructure network supports the essential transport and city services that the ACT government works very hard every day to provide, improve and maintain. Of course, as we grow as a city to nearly 400,000 people, that will remain a key priority for me, as I spoke of in my priorities statement in the last sittings. We will continue to invest in this infrastructure, and we will also continue to look very closely at a preventive maintenance schedule, as I also indicated in my priorities statement, to make sure our infrastructure is well maintained into the future.

**MR PARTON** (Brindabella) (4.40): This MPI is about the importance of better road maintenance. Some people come into this place with grand visions of making a difference. Many members, particularly on the other side of this chamber, passionately believe that they can move heaven and earth and have a big say on national and global matters. There is a belief from many on the other side that they can change the world from here on London Circuit, and that is their belief as to why they were elected to this place.

Ultimately, I guess we should applaud such noble sentiment, but I think it is naive sentiment. We are not here to change the world. We are actually here to make the city

function as best it can. We are here to look after people who cannot look after themselves. We are here to make certain that the rates burden on residents is fair. Well, that is the way we look at it over here anyway. We are here to create the environment that will allow enterprising people to be enterprising, to allow those who are establishing and building small businesses to do so without being strangled by red tape and various taxes. We are here to make the schools do what schools are supposed to do, to make the hospitals function better than they do right now, and to make sure that the roads and the footpaths are maintained.

We spent an hour and a half yesterday in a one-way conversation about LGBTIQ issues, focusing mainly on marriage equality which, as we all know, is not determined by this Assembly. The other side spent an hour and a half talking to themselves about marriage equality when people in the suburbs are actually grumbling about the state of their roads.

I know how important road maintenance is to the people of Tuggeranong. Let me tell you, Madam Deputy Speaker, I did not have to go to Tucson, Arizona, Seattle, Washington or Vancouver, British Columbia to find that out. I did not have to gather a bunch of public servants and head off on a trip to North America. It did not cost anyone \$70,000. All I had to do was walk the streets of Tuggeranong in the spring and knock on some doors. I knocked on 5,000 doors in the electorate that desperately wanted some change, and did I have some conversations about road maintenance.

Yes, Lloyd from Richardson, I listened to your concerns about Beattie Crescent. Yes, Sue and Nicholas, I heard your concerns about Lawrence Wackett at Theodore. Margie from Isabella Plains, as you know, we listened to you in regards to the Isabella Drive-Drumston avenue roundabout. I spoke to teenagers who had stopped riding their bikes on their own street because of the dastardly chip seal which had torn too many holes in their knees and elbows. I spoke to people in cul-de-sacs about the same chip seal and how it was not sufficiently compacted by the flow of traffic. I had hundreds of conversations about road maintenance—hundreds of people, Madam Deputy Speaker—and in that whole period I can tell you there were just four people who spoke to me about marriage equality. Their conversations were prefaced with a disclaimer, “I know it is a federal matter, but”. They knew more about the functions of this Assembly than those opposite. Is marriage equality an important issue? Yes, it is. Of course it is. It is very important. But there is a time and a place.

I note the summary of road maintenance provided by the minister earlier, and I know that it is not an easy job; it is a tough job. But I concur with all that my colleague Elizabeth Kikkert had to say earlier on this matter. Certainly the people who are speaking to us are saying that we must do better. Please, can we focus on the things that are actually important to the people in the suburbs, like road maintenance?

**MR STEEL** (Murrumbidgee) (4.44): I am pleased to speak today on the importance of better road maintenance for Canberrans. I understand that road maintenance is something that the people of this territory feel very strongly about and our government will keep our city on the move with a quality road network. Better roads are a continued priority for our government to ensure the territory remains a livable city. This has been illustrated by major projects and improvements such as the

Gundaroo Drive upgrade, the duplication of Aikman Drive, Ashley Drive, Horse Park Drive, and the duplication of the Cotter Road in my electorate.

The government has also successfully upgraded the Barton Highway roundabout just recently. In addition, this government delivered on the major road construction of the Majura Parkway and Constitution Avenue which, I note to Ms Kikkert, was a collaboration of two Labor governments funding a major road upgrade. This demonstrates the ACT Labor government's commitment to better roads and to better road maintenance.

At the election ACT Labor also committed to duplicating Athllon Drive in my electorate—something the Liberals did not commit to—between Drakeford Drive and Sulwood Drive, as well as the duplication of William Slim Drive between the Barton Highway and Ginninderra Drive, Gundaroo Drive from Gungahlin Drive to the Barton Highway.

In my electorate of Murrumbidgee the government has been very active in better road maintenance. In Phillip, for example, as I am reminded quite often on my late night trips to the gym in Phillip, night time road resurfacing works at the intersection of Hindmarsh Drive and Melrose Drive and Brewer Street have begun. I note an article on the RiotACT yesterday about these works which eloquently discusses the road resurfacing in some detail. The Liberals may want to go on there and read it. This project will see improvements to road smoothness, protection and the extended life of the roads themselves.

The government is committed to investment in road maintenance using new and innovative road-building techniques. Experimentation and innovation have been a focus of the approach of Roads ACT to ensure that we have not only better roads but also a significantly reduced carbon footprint as well. The government has also been learning from other interstate and international jurisdictions' best practice approaches to roads maintenance to enhance roads in the ACT.

It is important to note that our roads extend over 3,000 kilometres in length. As a result, it is a natural part of a road's lifespan to become worn. This government's plan for better road maintenance to combat the wearing of roads over time is to provide a fact-based and robust solution grounded in the latest technological advances to road resurfacing technologies. Our plan is inclusive of resurfacing techniques that are specifically designed to keep our roads in the best possible condition even when, as we have seen over the past couple of weeks, hot weather increases road surface temperatures to up to 60 degrees.

This government sees resurfacing as a crucial part of road maintenance with the goal of extending our roads by sometimes 10 to 15 years. This is achieved through a multi-step process to provide for a road that is hard wearing, skid resistant, quiet and smooth, but also to provide protection from water, wear and heat. This checklist is essential for the best quality of road. However, the difficulty of road maintenance is that the aforementioned criteria often compete with each other, that is to say, that road surfacing is not as easy as it sounds.

I feel that it would be beneficial to notify the Assembly of what actually goes into well-maintained roads. First, a road in the ACT must have a good resistance to skidding, and this requires more stones to be outwardly exposed. This creates noise. However, when stones are not outwardly exposed and textured it means that, although less noise is created, the road will be also less skid resistant. The complexity of paving and maintaining a road at government's best standards is significant and therefore requires a solid commitment to the best and most technologically advanced methods of road maintenance.

To achieve this complex and high quality of road that we seek to achieve, Roads ACT employs a number of different maintenance options to ensure each criterion is met and is reflective of the rules of roads maintenance. This government is committed to keeping our roads not only safer for driving but also safer for the future by being environmentally friendly.

I have mentioned innovation as a key part of our plan for better roads. I would like at this point to draw the Assembly's attention to two great examples of this. Kelleway Avenue in Nicholls was the first road in the ACT to use a recycled printer toner substance mixed in with the regular asphalt mix called TonerPave. This particular mix, designed to reduce the ACT's carbon footprint, was produced with close to 30 per cent recyclables. As the mixture itself is considerably cooler than the usual asphalt mixture used in resurfacing, carbon emissions are significantly cut in the process. In this process, I am proud to announce that 14 kilograms of carbon dioxide were saved. Use of this mixture on our roads last year started a trend in preserving and protecting ACT roads in a method that is both safe and environmentally friendly. The success of this mixture as safe for both the environment and the road led to it being placed on an additional dozen sites across the territory.

There is a recurring issue for road maintenance in the ACT that primarily occurs in cul-de-sacs such as Onkaparinga Crescent in Kaleen. These roads come under stress due to the presence of large garbage trucks turning tightly and gradually wearing out the road. To combat this significant strain on our roads, Roads ACT and the infrastructure contractor, Downer, are using a new sealant formula called Tonerseal. Building upon the environmental and safety success of the printer mixture, Tonerseal has been produced with the addition of recycled tyres.

Roads ACT and the government have committed a total of 1.4 kilometres of road to be covered by this method, which will save up to 990 kilograms of carbon dioxide emissions from entering the earth's atmosphere. For this project a total of 8,960 recycled printer cartridges and 203 tyres will be included in the road resealing mix during the trial which would have otherwise gone to landfill.

While this mixture is still in a trial period, experts such as Gana Varendran, who is the manager of the Downer Group which produces Tonerseal, is hopeful and confident in the technological step-up from its predecessor TonerPave. Mr Varendran recently spoke of the mixture, stating that it holds a unique advantage in the heat because the product is a combination of both toner and rubber. It will give Canberra drivers increased resistance to bleeding or softening of the bitumen that occurs when roads come under significant heat.

The implementation of the world-class projects I have spoken about today are all part of the government's plan for a better, safer and more environmentally friendly maintenance of our roads. I look forward to seeing the future advances that this government will make in the area of road maintenance to improve our roads for Canberrans using road-based transport.

**MS LE COUTEUR** (Murrumbidgee) (4.52): I have the unusual pleasure today to be talking about a matter of public importance brought forward by the Liberal Party on what happens to be a Greens election initiative. We have one entitled "Better roads, not more roads: maintaining the roads we have." Given the disagreements we sometimes have in this place about road and transport decisions, I am very pleased that we have an area of agreement.

The Greens are of the belief that Canberra does not actually need a lot more roads or a lot more traffic or cars. What we need to do is repair our existing roads and rebuild them so they do the job that they were meant to do. As a number of people have said, Canberra is recognised in general as having some of the best roads in the country, but it is a source of considerable frustration to most of Canberra that our roads are not in as good condition as they once were. Instead of fixing them, what we seem to have is the situation where the other two parties' election commitments are to build more roads, not to look after the ones we have got. That was the big difference, I guess, between our approaches at the election.

We think that we need to look after the roads we have as the first priority as far as roads go. We do not think that we should be spending taxpayer dollars ripping up and laying down unnecessary infrastructure every election cycle. We need to look at what is really needed and spend our money where it is needed the most. As Ms Fitzharris mentioned, road maintenance, like health, is an area where prevention is better than cure. We would like to see the roads we have got looked after rather than see more unnecessary roads.

One area where maintenance is very much needed, as Mrs Kikkert mentioned, is footpaths. During the election campaign, I had the misfortune, you could say, to talk to two elderly constituents who had basically been reduced to not being able to go out because of the state of footpaths in their immediate vicinity, in the radius of 100 metres from home. They both talked to me about how they have broken various pieces of their anatomy. They were stuck at home. Maintaining our footpaths is something that we should be putting a high priority on. That is why one of the things in the Labor-Greens parliamentary agreement is additional money for active transport, including both construction and maintenance. We are falling badly behind in our maintenance of footpaths.

There is also our maintenance of cycleways. Just because bikes are not as heavy as cars does not mean that there is not wear and tear on the cyclepaths. There is, as anyone who uses them regularly will tell you. And potholes, particularly if you are on a path at night, where there almost certainly is no lighting, can be very dangerous. So I commend this topic to the Assembly and thank Mrs Kikkert for bringing it forward.

I conclude by saying that a few years ago the ACT government did a survey of how people of the ACT would like to see their money spent on transport. They were asked, "What percentage of \$100 million would Canberrans spend per mode in their local neighbourhood?" From an average of responses, 24 per cent went to pedestrians, 19 per cent to cyclists, 37 per cent to public transport and only 20 per cent to motorists. That, as we all know, is not how the government spends its transport dollar. We would like to see a re-emphasis on maintaining what we have and putting more money into active transport.

**MR MILLIGAN** (Yerrabi) (4.56): I would like to make a brief comment this afternoon about what has become a serious and pressing issue for Gungahlin residents, the importance of better roads and road maintenance. This morning was another 50-minute drive to the city, a journey typically of 15 minutes. Just getting out of my own suburb took me more than 10 minutes as we waited to get onto the single-lane Gungahlin Drive, past the Gundaroo Drive intersection, a distance of one kilometre.

Despite a number of long-awaited road upgrades in the Gungahlin district, residents are suffering from years of ignorance of local commuter and road user needs. The road facilities have not matched the rapid increase in population, and any remedial action creates increased traffic gridlock for commuters at either end of the working day. Significant development has taken place, and continues, in the north of the Gungahlin region; yet the population is serviced by single-lane roads. The much-needed duplication of Horse Park Drive seems mainly to service the new suburb of Throsby, which attracted super premium prices for residential sites. Major problems still exist with the eastern segment, which connects to the attractive Majura Parkway conduit.

Gungahlin Drive had remedial work done at a choke point near Mitchell, but no action was taken to duplicate the section west of Gundaroo Drive, which experiences severe morning congestion from the expanding regions of new Ngunnawal, Moncrieff and Casey. Clarrie Hermes Drive should have been constructed as a dual carriageway to channel more commuter traffic towards the Barton Highway.

Poor scheduling of the Barton Highway/Gundaroo Drive roundabout has created a major traffic problem where three southbound lanes converge into one immediately after the roundabout exit. No plans have been released for duplicating William Slim Drive to ease traffic flows towards Belconnen.

The inadequate main roads are also causing problems in Amaroo. Residents seek to avoid congestion on Horse Park Drive, but traffic backs up on Shoalhaven Crescent through to Mirrabei Drive as commuters seek a path out of the suburb. Residents tell me it takes even longer to get out of here in the mornings, whilst getting through the only two exits out of Crace is a morning nightmare.

Once out of the main Gungahlin suburbs, motorists experience more congestion on Flemington Road and through Mitchell before being forced into two lanes along the Federal Highway, Northbourne Avenue. This also impacts on city-bound traffic leaving Gungahlin Drive onto Ginninderra Drive as it is affected by the Northbourne

Avenue works. No upgrades have been made to the off-ramps at Belconnen Way to cater for increased city-bound traffic from Gungahlin and New South Wales regions to the west and north of Canberra. A similar situation applies to the off-ramp onto Parkes Way at the Glenloch interchange.

The people of Gungahlin are tired of being ignored, of having poor roads or long traffic commutes. What we need is good roads in and around our suburbs. We need to be able to exit our suburbs with ease. Gungahlin does not seem to have a road network capable of dispersing traffic at peak times. It is time for the government to address this matter of public importance.

**MS CODY** (Murrumbidgee) (5.00): I would like to thank Mrs Kikkert for putting this important matter on the notice paper today. I am not sure about other members, but road maintenance was not a subject that I had spent a great deal of time studying before entering this place. Like many, as a road user I would notice when things were broken, had been slightly annoyed by roadworks and was always fascinated with trucks, diggers and other machinery.

Being a Canberran, I have spent years on the receiving end of many jokes about roundabouts from interstate friends and relatives. This, among other cultural heritages of our city, is a valuable part of who we have become. With self-government, Canberra's unique road designs have, however, presented an equally unique challenge to maintain. We have a beautiful city with stunning topography, creative town planning and an ambitious roads system. Sometimes the ambitions of previous generations of town planners and road engineers have become the cost centres of today.

The ACT government plays a unique role in roads maintenance, being responsible for both the traditional state government main road role and the maintenance of local streets and our wonderful network of community paths.

As an MLA, I have been putting in the work of reading the reports, learning about the challenges and understanding the government's program to overcome those challenges. To simply say that we are overcoming those challenges is, of course, an understatement. This government has laid out a clear vision of the future of local transport and is getting on with the job of delivering. I am not sure how much time my colleagues spend in the new areas of our city in Wright, Coombs and Denman Prospect, but as someone who is frequently on the ground in these areas, I can report to the chamber that the design of local infrastructure has learned the lessons of the past. Roads are well designed and in decades to come will prove a lesser cost burden to maintain than in some other areas.

We are finding out about the issues in some of the older areas. The roads and other infrastructure built during the postwar expansion of Canberra are now reaching maturity. In the era of the department of works, there was a great deal of construction and little need for planning and maintenance. Today, we must invest heavily in maintenance whilst also continuing to build into new areas and rebuilding infrastructure where either its design was faulty or modern usage patterns have overwhelmed older designs.

When I look around this city, I see that traffic normally flows and potholes are few. By reading the reports, I have discovered that around 4,000 potholes are repaired in the ACT every year, on top of the 65,000 square metres of large asphalt patching. For those playing at home, that is about 155 basketball courts or around 120,000 roadside election signs, a number I am sure we all aspire to surpass.

I recently took the first steps for getting my motorcycle licence. Whilst not as exciting as becoming an MLA, the day I got my learner's permit for the bike was the day of one of the proudest personal achievements of the past few months. Now, as a motorbike rider, I am even more aware of the importance of quality road maintenance. Since getting my motorbike learner's, I have been paying more attention to Canberra's roads. A motorbike has significantly less contact with the road, and an oil slick, pothole or wet road can prove very dangerous. Having spent time on a bike in both the ACT and New South Wales, I can report that Canberra is an excellent place for motorbike riders. The maintenance of our roads here is wonderful and provides for safe riding all year round. I am sure that my colleague Mr Gentleman would agree.

I am also a keen cyclist. I cycle on our on-road systems as often as I can. We have some of the best on-road cycling lanes that Australia has to offer. I see people using them all day, every day.

In discussing road maintenance in the Australian Capital Territory, I would like to pay special tribute to the hardworking road crews who do this important work, many of them proud members of the CFMEU. This is often heavy, physical work. It is outdoors. It is in the heat, the rain and the fog. It is also often dangerous. Not only do these workers face all the dangers of their own machinery and the environment; they are exposed to the vagaries of drivers. Canberra people are generally very good drivers, but it is the worst drivers, not the best drivers on our roads, that are the danger.

As anyone who has travelled from Civic to Gungahlin recently will report, the government insists that proper OH&S protections are provided to all workers exposed to traffic. Providing a safe workplace for road maintenance and other workers is best achieved by ensuring that all workers on site are empowered to speak up about safety; that managers put safety before profit; and that the Work Health and Safety Act 2011 is properly enforced, with safety reps in place. Building safe workplaces for road maintenance and other workers is best achieved by good relations between all levels of business. I congratulate those enterprises and unions which work well together to keep these workers safe.

By the wise use of budgets, intelligent management, good planning and cooperative relations with the workplace, this government continues to deliver better road maintenance for Canberra. In the next few years, as we see light rail delivered, I am sure the performance will get better and better.

*Discussion concluded.*

## **Adjournment**

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

That the Assembly do now adjourn.

**Women—sport and recreation**

**MS CODY** (Murrumbidgee) (5.06): Madam Deputy Speaker, today I rise to join many others in our community to voice my support and praise to the AFL Women's League, which hosted its inaugural matches in Melbourne and Adelaide on the first weekend in February this year. I congratulate all the women who played in games and those officials who made this milestone happen. It was a watershed moment in the lives of girls and women who love sport. As I watched the players and saw the crowds streaming into local suburban grounds, I was filled with hope: hope that young girls will have new sporting role models; hope that our professional female athletes will one day be equally remunerated and recognised for their contribution; and hope that the future of women's sport in Australia will be bright. For far too long women's professional sport has been underreported, underfunded and undervalued.

Sport has always been a consistent part of my life. Growing up I played football in mixed teams for the Tuggeranong football club and ice hockey at the Phillip ice rink. For me, sport was an outlet. It was an opportunity to participate, to make new friends and to burn teenage energy. It kept me occupied and lifted my confidence. But being a woman who loves sport, particularly male-dominated sport, was tough.

In my youth girls who wanted to play team sports other than netball were left to join the boys teams where we were exposed to jeers of "playing like a girl." Here in Canberra there were no opportunities to watch professional women's sport, and media coverage was limited. As a mother of young boys I have also witnessed many girls in their teams have to discontinue playing for no other reason than gender. One by one they have to leave these mixed teams when they reach their teenage years, with many never returning.

For far too long we failed to recognise the valuable contribution sport can make to the lives of young girls, teenagers and women. It can be a vehicle against teenage truancy, it can break down entrenched gender stereotypes and it can build confidence and empower women of all ages in our community.

While today we have begun to realise these valuable contributions, there is still more that can be done. We are taking steps to improve the experience of girls and women in sport. We are investing in professional women's sport and we are lifting the status of women's sport more generally.

As a strong advocate for women's sport, I look forward to the continued commitment from the ACT government to hold matches of all codes across Canberra's sporting arenas and I especially look forward to watching the first AFL women's game to be played here in Canberra on 18 March.

**Mr Warren Carloff**

**MR PARTON** (Brindabella) (5.10): I rise to speak on the passing of Warren John Carloff. Warren was a wonderful man whose light burnt far too briefly. Woz passed away late in January at the tender age of 38 after an on and off battle with cancer

which lasted for seven years. Father, husband, brother, son, Australian Federal Police member, tactical response team member, professional wrestler AKA the Hammer, hard as nails tough guy but super soft family man and just a bloody good bloke.

Warren lived just over the border in Murrumbateman—

**MADAM DEPUTY SPEAKER:** I am sorry, Mr Parton, you cannot use that word, even though it might feel right.

**MR PARTON:** He was just a good bloke. Warren lived just over the border in Murrumbateman but was well and truly a part of our community, mainly through his huge network at the AFP.

Warren made coffee for me at his place only a month ago. He had been given just a few weeks to live but he told me that was BS. He told me he was not ready to go and he felt he had another six months left in him. He fought but eventually he was defeated.

It was no surprise to me that the funeral service held at Albert Hall to celebrate the life of this ever-smiling, blue-eyed, loud, great fun guy was packed to the rafters with hundreds of people who gathered to pay their respects to Woz. My sympathies go to Warren's wife, Kate, and his three gorgeous children who have been so brave but are heartbroken.

One of Warren's old schoolmates spoke at the funeral and relayed a story about a conversation that they had as teenagers on a beach somewhere. According to his friend, Warren had inquired as to what his response would be if he was attacked by a shark while swimming in the ocean and Warren's friend had suggested that if a shark grabbed him in the water he would assume the worst and say goodbye to this world.

But Woz was not like that. He told his friend that in that circumstance he believed in his heart that he would home in on the shark's eye and punch it and punch it and punch it as hard and as fast as he could until the shark let go, and then he would somehow swim back to shore and try to get help. And that is how Warren Carloff lived his life. That is how he fought this disease. He was a good man, was Warren Carloff, and it was a great pleasure of mine to have known him.

### ***Big Issue—international vendor week***

**MS LE COUTEUR** (Murrumbidgee) (5.12): Last Friday I took part in the *Big Issue* selling challenge as part of international vendor week. I was pleased to see Grant, a *Big Issue* vendor in Woden, who I saw a lot of last year during the election campaign. It was really great to see Grant and hear his sense of humour again.

In Australia more than 6,500 men and women have earned an income through selling the *Big Issue* in the past 20 years. Selling the *Big Issue* helps homeless, marginalised and disadvantaged people to positively change their lives by providing an opportunity to earn an independent income, build confidence and increase community interaction.

Community interaction with vendors like Grant—who has grappled with gambling addiction, homelessness and disability—encourages the exchange of stories and experiences and helps challenge the stereotypes which many of us face.

I would like to take this opportunity to share a short excerpt from the profile Grant wrote about his life and experiences selling the *Big Issue*. Grant said:

I don't look like I have a disability, but I have a rare syndrome that has left me with a speech and language problem and learning difficulties ... I left home when I was 13, because of stuff that happened to me. I won't go into details because I don't want my customers to feel sorry for me, but I was angry about it. I was homeless on the streets when I was 15.

I sold the *Big Issue* in Brisbane for a while, but it was a bit slow for me. Now I'm back in Canberra. I sell the *Big Issue* four to six hours a day, at Woden, in the city at the post office, and also at Belconnen ... In the last year I have been trying to fix up my life. The first thing I had to do was to stop gambling. I used to gamble all the time, and I lost too much money over the years.

I've gambled once this year—took the bus to the casino, in Sydney and lost a bit. I wanted to get away from things where I am living. I'm waiting for a place of my own through ACT Housing. One of these days ...

I hope to get some sales work for a company, but in general things are going pretty well ... I'm a lot happier and less fussed by stuff now, because I'm keeping my gambling under control.

Grant's story shows clearly that so often it is the domino effect of circumstances—disability, abuse, homelessness and addiction—that creates disadvantage and marginalisation. The Greens are committed to supporting Canberra's most vulnerable and disadvantaged community members with a suite of social inclusion policies and services investment.

In the parliamentary agreement the ACT Greens secured the following commitments: the establishment of an Office of Mental Health to roll out and oversee mental health services and provide funding, develop a strategy that sets targets for suicide reduction and provide more support for young people; the strengthening of specialist homeless and housing support services to make sure vulnerable groups get the support they need, including people seeking housing who have a lived experience of trauma; a 20 per cent reduction in the number of electronic gaming machines licences in the ACT by 1 July 2020; exploration of further harm reduction measures, including mandatory pre-commitment systems and bet limits for electronic gaming machines; and an increase in the problem gambling assistance fund levy.

But there is still more to do, of course. As a party that puts the community first, the Greens will continue to advocate for the needs of those who are forgotten marginalised and ignored. We will continue to advocate for those who need a roof over their head, those who need supports to lead participatory and meaningful lives and those who are doing it tough.

I thank Grant for sharing his story and his time with me and providing me with a few laughs on a very hot day. I also want to thank the *Big Issue* for their work providing opportunities for disadvantaged people in our community to help them feel empowered to help themselves and for giving me a chance to know more about the experience of vendors such as Grant.

### **Mr Graeme Windsor**

**MR DOSZPOT** (Kurrajong) (5.17): In my role as shadow minister for seniors I cross paths with many accomplished older men and women still excelling at their chosen active sports. I rise tonight to speak of one such individual, Graeme Windsor. At 68 years of age Graeme is still participating in parachuting and skydiving after first taking up the sport almost 50 years ago. Graeme made his first jump as a 19-year-old in Port Moresby, Papua New Guinea while on posting there with the commonwealth public service.

Over the years Graeme has successfully completed over 7,000 jumps and still manages around 100 jumps per year. This year he has increased his jump rate in preparation to compete in the Australian National Parachuting Championships in York, Western Australia next month. After returning from Papua New Guinea around 1970, Graeme jumped with the Canberra Skydivers Club and became an Australian Parachute Federation qualified senior instructor.

The club often had difficulties hiring aircraft, so Graeme and a few other like-minded enthusiasts bought their own Cessna 182. This turned out to be the start of a general aviation business which grew into a charter operation and a flying school operating at Canberra Airport. Graeme became a jump pilot in 1973.

When the Canberra Skydivers Club folded after losing the use of their drop zone due to a land subdivision, Graeme established Canberra Sport Parachute Centre, operating on weekends at a number of temporary locations until finally settling on an airfield at Collector in New South Wales, co-sharing facilities with a gliding club. Graeme at this time also became a glider tug pilot.

In 2000 Graeme was awarded the Australian Sports Medal for his contribution to parachuting and skydiving and was recently made a Companion of Honour with the Federation Aeronautique Internationale, the world air sports federation. In 2003, Graeme was elected first vice-president of the International Parachute Commission—IPC—and was then elected president in 2007. Following his appointment Graeme established a strategic plan for the IPC which would assist in providing direction for the organisation in the coming years. Graeme was president of the IPC for an unprecedented term of nine years.

Currently Graeme is one of the oldest competitors in Australia still competing in parachuting and skydiving competitions. Due to the limited competitive age classification groups, he is often pitted against much younger opponents at national parachuting and skydiving tournaments. Graeme has, on many occasions in the past, won the title of Australian champion in various categories. Though he is not winning as often these days, he still draws great satisfaction from participating.

Having also competed for many years as a classic accuracy skydiver, Graeme is still an active member of the classic accuracy skydiving team. Graeme is a rigger (APF Packer A), has been a senior instructor with ratings for static line AFF and tandem and has introduced many people to the sport through tandem jumping for over 19 years, landing on the Deakin Mint oval near his house in Yarralumla. He has been an instructor examiner, is a jump pilot examiner and has a display pro rating. He continues to make the Australian parachute team and competed in the last world championships in the accuracy landing event at Skydive Chicago, Illinois in September 2016.

Graeme is fortunate to have had the full support of his wife, Chris, who has often acted as a volunteer and ground support crew. He has even had the opportunity to involve his grandchildren in some tandem jumps. Graeme maintains that while you need to keep your wits about you to ensure a safe landing, jumping out of a plane is an exciting and exhilarating experience, even after 50 years.

In closing, I would like to recognise Graeme Windsor, a long-term Canberran, for his incredible contribution to parachuting and skydiving in Australia and, indeed, at the international level. I congratulate him for being nominated to the International Skydiving Hall of Fame, class of 2017, into which he will be inducted at the weekend celebration event on 21 September this year at the Chicagoland Skydiving Centre, Rochelle, Illinois.

### **Oaks Estate River corridor heritage trail**

**MS CHEYNE** (Ginninderra) (5.21): In December I was delighted to represent the ACT government to formally open the Oaks Estate river corridor heritage trail. The opening of this trail marks the implementation of one of the recommendations contained in the 2014 Oaks Estate master plan. I acknowledge the work done by the Environment, Planning and Sustainable Development Directorate and thank the community for their participation in the master plan and in providing input in finalising the alignment of the trail.

This beautiful trail stretches for 2.4 kilometres along the Molonglo and Queanbeyan rivers and it gives visitors the opportunity to safely access the area's heritage sites. I love walking, and especially bush walking around the ACT. It is rejuvenating and energising to get out, be active and enjoy our beautiful outdoors in a stunning setting.

We know that it is so important for our physical and mental health to walk, play and explore in nature. That is why paths such as the Oaks Estate trail are so valuable for our communities, particularly for those living in townhouses and units in the area.

Formalising the river path recognises the significance of this area for the Oaks Estate community as a place for walking, fishing and other recreational activities. We know that the trail is central to this community because, over the years, they have forged their own path by the river for these purposes.

Upgrades to this trail will ensure that residents can continue to use the area for recreational activities without putting the natural environment at risk. Community input into the alignment has helped it to ensure the trail is sustainable in terms of its route, usage and management into the future.

The upgrade has delivered a range of safety and access improvements to the trail. New seating and picnic settings have also been installed to provide opportunities for walkers to take in the great views. The trail connects Gillespie Park to points of interest, including the junction of the Molonglo and Queanbeyan rivers, the original Queanbeyan railway bridge and historical river crossing points.

The new trail is largely flat and is a lovely place for adults, children and pets to meet old and new friends as they roam the natural environment. The Oaks Estate river corridor heritage trail also tells stories of our history. Last year marked the 180th anniversary of the building of the Oaks property near the junction of the Queanbeyan and Molonglo rivers. This property was heritage listed in 2015.

In 1836 after Europeans first entered this area in 1822, Robert Campbell from Duntroon built the first substantial stone house in the Queanbeyan district. There are stories about this property on signs at Gillespie Park and along the river.

But, of course, well before then for at least 20,000 years the Aboriginal people inhabited the area. New interpretive signs have been installed along the trail for users to learn about this interesting cultural heritage as well as local sites and the natural environment.

The Oaks Estate community was at the centre of this opening and the event wrapped up with a guided walk by local resident Karen Williams. Karen was a great contributor to the signage along the path and author of *Oaks Estate: no man's land*, which was published in 1997.

I encourage walkers, families and pet owners to make the most of our long, warm days at the moment to explore the Oaks Estate river corridor heritage trail. It is a wonderful outdoor resource where you can immerse yourself in the natural environment while being active at the same time.

### **Menslink fundraiser**

**MR MILLIGAN** (Yerrabi) (5.25): It was my privilege to attend the Menslink big night out at the Southern Cross Club in Woden at the end of last year. Menslink is an organisation that I have been supporting since 2012. This evening was held to raise money for Menslink's free support programs in Canberra. I want to speak briefly here today to highlight the ongoing importance of the work of Menslink in Canberra.

The evening was a 70s-themed night with 370 attendees who were well entertained by the band Smooth Ops and comedian Tom Gibson. During the evening we heard from Kelly, a mother of a teenager who has been greatly helped by the volunteers and mentoring provided by Menslink.

Menslink is an important organisation in the ACT supporting young men in the Canberra region for 15 years through their free counselling, volunteer mentoring and education programs. In this time they have helped thousands of young guys get through tough or lonely times with the least amount of pain or harm to themselves or those around them. They helped young guys reach their full potential and become the great adult men they want to be, because they believe everything is possible for them, their families, their mates and the community.

The night raised over \$100,000 for Menslink, which is a huge amount, representing nearly 15 per cent of their total income. This was thanks to over 60 Canberra-region businesses and individuals donating items for the auction to raise valuable funds for supporting the young guys in Canberra.

The funds raised will be critical in helping Menslink support the increasing number of young men, schools and families who approach them for support. Together with funds from their major and principal partners, the money raised will help them to extend existing support and mental health programs, as well as to introduce two new ones.

This year they are planning to increase counselling capacity by 30 per cent to help more young guys, extend the mentoring program by including a new component to take some young men and develop skills in them to become independent, mature, responsible adults and future leaders of tomorrow, extend their “silence is deadly” program, campaign to reach more young men, and to roll out a new group program in schools to show young men how to develop and maintain healthy and constructive relationships rather than engage in destructive and anti-social behaviour.

It was a great event that I attended. I wish to extend my congratulations to the great work being carried out by Martin Fisk and the team at Menslink in their support of the mental health of young Canberrans. This coming weekend is the Multicultural Festival, and Menslink will be there rattling the buckets to collect further money for their important programs. I ask members to dig deep for this great cause this weekend.

### **Red Cross food drive**

**MRS KIKKERT** (Ginninderra) (5.28): This sitting week has been a time for us to discuss what we can do to improve the Australian Capital Territory and to better serve and support the people we represent. We feel the weight of our responsibilities, and I know that the concerns raised by my constituents have weighed very heavily on my mind. I will continue to strive for changes that will lift burdens from individuals and families and will make their lives better.

At this time, however, I want to reflect on the work of so many in the ACT who strive to reach out to others and make their lives better. I recently had the opportunity to see the wonderful work that Red Cross Australia does, and I would like to take this time to acknowledge the tremendous service provided by its workers, volunteers and supporters.

Over the Christmas period, I established my office as a collection point for the local Red Cross's food drive for refugee families, and I invited my fellow members of the Legislative Assembly, their staff and the Assembly staff to join me in making contributions for these refugees, primarily from Syria and other Middle Eastern countries.

These refugees have suffered more than many of us can ever understand, having faced unbelievable trials in their homelands with great courage and deep inner strength and then facing a new culture, new language and new ways in their adopted home. I can relate somewhat to their experiences, having come to Australia from Tonga as a little girl, when I knew no English and did not know how to fit into this country.

I wish to thank all in the Assembly who brought generous contributions of food to my office in December. We loved seeing so many of you stop by with your gifts. A woman who works in one of the Assembly offices brought a bag of food every single day for an entire week because she travels to the city on a bus. I am happy to report that Joe from the Red Cross informed me that after he and his partner had distributed the contributions from my office, we in the Assembly provided enough food to make Christmas hampers for 50 families and 150 individuals.

Reaching out to refugee families has been important to my family. Last year my daughter Utopia took it upon herself to sew bags to give to refugees in Canberra.

I thank Red Cross Australia for all that they do in regard to blood drives, caring for the elderly, providing relief to those suffering from crisis or disasters and reaching out to those in need. Red Cross Australia truly shows the power of humanity. I am grateful that they gave me the opportunity to help them in this work and for their continued effort.

I encourage all Canberrans who have the ability to take the opportunity to volunteer and serve others. I particularly encourage youth to be involved in volunteer work. Studies have shown that youth who serve others are transformed by the experience. Studies have also shown that volunteer work contributes to our health and wellbeing. It provides us with a sense of purpose and a sense of contribution. But, most of all, it truly allows us to make Canberra a better place. May we all follow the example of wonderful organisations such as Red Cross Australia and others and give of our time, our means and our abilities to truly build a stronger Canberra.

### **Ministerial offices—communications processes**

**MR GENTLEMAN** (Brindabella—Minister for Police and Emergency Services, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Urban Renewal) (5.32): I rise today to discuss a matter that Mr Wall raised during debate yesterday in regard to my office's responses to calls and emails. I wish to advise that my office has a set process in responding to calls and emails that are requested in a timely manner. We believe we have located a particular email that came from an outside source that was redirected to Mr Rattenbury's office from a particular business in my electorate. That has been responded to in the first instance from my office, and Mr Rattenbury's portfolio is dealing with it now.

It is important to put on the record that we do have a process for response to all calls and emails that are requested, in a timely manner, and we do that as best we possibly can with as much information as we can.

**The Assembly adjourned at 5.34 pm until Tuesday, 21 March 2017, at 10 am.**

## Answers to questions

### ACT Health—performance (Question No 1)

**Mrs Dunne** asked the Minister for Health, upon notice, on 13 December 2016:

- (1) How many specialist doctors, in each specialist medical field, currently practice in the ACT.
- (2) How many of the specialist doctors in each specialist field referred to in part (1) have closed their books to new patients.
- (3) What is average wait time for patients to secure a first-time appointment with a specialist doctor for each specialist field.
- (4) What is the benchmark first-time appointment wait time.
- (5) What gaps has the Government identified in the provision of specialist medical services.
- (6) What are the Government's strategies to address those gaps.

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

1. The Australian Health Practitioner Regulation Agency (AHPRA) states that there are 1208 medical specialists registered in the ACT including 426 General Practitioners<sup>1</sup>. Table 1 identifies the distribution of these specialists across the specialist medical fields.

Some specialists may have their primary place of practice listed in other states and visit the ACT to provide occasional services. These specialists will not be reflected in the AHPRA data for the ACT.

<sup>1</sup> AHPRA: ACT Annual Report Summary 2015-16

**Table 1: All ACT Medical Specialists: Public & Private Sector<sup>2</sup>**

Medical Specialty	No of ACT Specialists	Medical Specialty	No of ACT Specialists
Addiction Medicine	4	Obstetrics and Gynaecology	31
Anesthesia	79	Occupational and Environmental Medicine	15
Cardiology (Includes Cardiothoracic Surgery)	19	Ophthalmology	15
Cardiothoracic Surgery	6	Oral & Maxillofacial Surgery	4
Clinical Pharmacology	1	Orthopaedic Surgery	26
Dermatology	6	Paediatric Surgery	4
Emergency Medicine	37	Paediatrics & Child Health	39
Endocrinology	13	Pain Medicine	3

ENT Surgery (Otolaryngology)	9	Palliative Care	6
Gastroenterology & Hepatology	25	Pathology	51
General Medicine	33	Physician	6
General Practice	426	Plastic Surgery	6
General Surgery	27	Psychiatry	58
Geriatric medicine	12	Public Health Medicine	28
Haematology	9	Radiation Oncology	13
Immunology & Allergy	7	Radiology	50
Infectious Diseases	9	Rehabilitation medicine	6
Intensive Care Medicine	22	Respiratory & Sleep Medicine	10
Medical Administration	12	Rheumatology	8
Medical Oncology	10	Sexual Health Medicine	4
Nephrology	13	Sport and Exercise Medicine	11
Neurology	9	Urology	6
Neurosurgery	7	Vascular Surgery	4
Nuclear Medicine	9		

<sup>2</sup> Table 1 has been compiled using data from the AHPRA ACT Annual Report Summary 2015-16

2. ACT Health does not manage or track the practice of private specialists. ACT Health and the specialists it employs cannot close their books in a public hospital.
3. The wait times for specialists varies according to how critical the patient's illness is. The wait lists are assessed for clinical urgency using a triage process. This process enables people with life threatening illness to have high priority access to the specialist.

Patients referred to an outpatient clinic are assigned a category of urgency, and every effort is made to provide a first appointment within the category target time. Patients who seek a more urgent appointment are required to provide a supporting referral from their doctor.

4. The National benchmarks for an initial outpatient appointment are:

- Triage Category 1: within 30 days
- Triage Category 2: within 90 days
- Triage Category 3: within 365 days.

Patients who are considered clinically urgent are usually seen within 14 days.

5. ACT Health focus is on the public health system. The following gaps in specialist services have been identified within the public health system:
  - Paediatric specialties including Clinical Genetics, Paediatric Ophthalmology, Paediatric Orthopaedic Surgery, and Child and Adolescent Psychiatry.
  - Medical Specialties including Cardiac Electro-physiology, Neurology and Dermatology.
  - Mental Health specialties including Addiction Medicine, Eating Disorders Psychiatry, Forensic Services, and Older Persons Mental Health.
  - Surgical specialties including General Surgery, Urology, Ear, Nose & Throat surgery, Colorectal Surgery, Ophthalmology and Orthopaedic Surgery.
6. It is essential to note that ACT Health is not responsible for ensuring the completeness of the entire ACT health system. The system is dependent on medical services which

are provided through public and private sectors along with Non-Government Organisations. ACT Health provides a flexible working environment for medical specialists, including both direct employment and engagement as a contractor (Visiting Medical Officer), ensuring access to a wide pool of potential recruits.

Under the ACT Public Sector Medical Practitioners Enterprise Agreement 2013-2017, where a specialist position is critical to the operation of services and there is a clear and exceptional need, an Attraction and Retention Incentive (ARIn) can be put in place for an employee. Such arrangements are reviewed annually. An ARIn may contain enhanced pay rates or other enhancements to conditions of employment.

Where recruitment to a specialist position has failed to recruit Australian specialists, overseas specialists with appropriate qualifications can be recruited under the Area of Need Specialist pathway. The international appointee then completes the requirements for specialist recognition in Australia while working in the ACT. Three Area of Need positions have recently been approved for overseas child and adolescent psychiatrists and recruitment to these positions is occurring.

Within Canberra Hospital and Health Services the following strategies have been put in place to address the gaps identified in Mental Health, Justice Health and Alcohol & Drug Services:

- Promoting gap specialisations as an area of specialisation for medical students and junior doctors
- Providing a comprehensive training program in the ACT and encouraging locally trained staff to stay within the service
- Promoting the benefits of working in the ACT at national forums and encouraging people to apply
- Use of local, national and international networks
- Promotion of vacancies through the Royal Australian and New Zealand College of Psychiatrists website
- Use of recruitment agencies.

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## **Sport—ground hire fees** **(Question No 2)**

**Mr Milligan** asked the Minister for Sport and Recreation, upon notice, on 13 December 2016:

- (1) What are the ground hire fees for each sports ground and oval in the ACT.
- (2) How much have the ground hire fees increased in the last four years.
- (3) What percentage do the ground hire fees contribute to general revenue.
- (4) What percentage of the maintenance of the grounds is covered by the ground hire fees.
- (5) What do the ground hire fees cover and what responsibilities do the clubs have.
- (6) What additional fees are there, for example, lighting.

- (7) What is the estimated budget required to maintain an individual sports ground or oval and what is the (a) breakdown of that cost and (b) total budget that has been allocated towards maintenance and upkeep of ovals and sports grounds.
- (8) What is the priority for the maintenance of sports grounds.
- (9) In relation to the status of oval closures and openings since mid-2015, of the 32 closed ovals how many have been refurbished and reopened and what is the priority for the reopening of further ovals and sports grounds.

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

- (1) Refer to Attachment A.
- (2) The 2013-14 to 2016-17 strategy increased sportsground hire fees by a base rate of six per cent each year, with some further increases (within a 10 per cent upper threshold) to some junior training fees, to achieve a policy position that junior fees equate to 50 per cent of senior fees over a reasonable period.
- (3) All revenue associated with the hire of the ACT Government sportsgrounds managed by Active Canberra is retained by the business unit and utilised to offset expenditure to maintain these assets.
- (4) The ACT Government subsidised the maintenance of ACT Government sportsgrounds by 86 per cent in 2015-16, the sportsground hire fees collected represents the remaining 14 per cent of the budget.
- (5) All revenue associated with hire of the ACT Government sportsgrounds managed by Active Canberra is retained by the business unit and utilised to offset expenditure to maintain these assets. The sporting clubs responsibilities are for making bookings and responsible use of the sportsgrounds in accordance with the conditions of hire.
- (6) Refer to Attachment A.
- (7) As an average, the total maintenance cost for ACT Government sportsgrounds per year is approximately \$50,000 per hectare, noting that the maintenance costs will vary on a site by site basis and will also vary from year to year.
  - a) The breakdown of maintenance costs vary on a site by site basis. Typical expenses may include: utility costs (water, electricity, gas), mowing, cleaning, waste removal, pest/weed control, fertiliser and turf amendments including soil testing, aeration, dethatching, renovation cost including top soil and seed supplies, irrigation repairs and materials, floodlighting repairs, repairs and maintenance for buildings including vandalism repairs, plant and equipment including maintenance vehicles and machinery, management and operational staff costs.
  - b) Expenditure to maintain the ACT Government sportsgrounds in 2015-16 was \$15.724 million.
- (8) Active Canberra's priority for the maintenance is to ensure that sportsgrounds and related facilities are maintained in a safe and fit for purpose condition.

- (9) Weetangera Neighbourhood Oval was reopened in December 2015 and represented the final stage of the \$4.0 million program to restore sportsgrounds in Weetangera, Watson and Bonython. At this time, no further funding has been allocated for the restoration of any further sportsgrounds.

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

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### **Aboriginals and Torres Strait Islanders—overcoming disadvantage (Question No 3)**

**Mr Milligan** asked the Minister for Aboriginal and Torres Strait Islander Affairs, upon notice, on 13 December 2016:

- (1) In relation to the Overcoming Indigenous Disadvantage: Key Indicators 2016 – Report, did the Government commit to the six targets for closing the gap in Indigenous disadvantage; if so, what policies, projects and programmes have been implemented in the past eight years to meet the six COAG targets as they pertain to the ACT for (a) the headline indicators, (b) halving the gap in reading, writing and numeracy achievements for children within the decade, (c) halving the gap for Indigenous students in Year 12 attainment rates or equivalent attainment by 2020 and (d) halving the gap in employment outcomes within a decade.
- (2) What is the estimated budget which has been provided to the projects, programmes and policies.
- (3) What is the total budget that has been made available to the projects, programmes and policies.
- (4) What are the annual expenditures for the projects, programmes and policies.
- (5) Are budgets tied to particular benchmarks or outcomes to be met.
- (6) What evaluations have been conducted to ensure stated outcomes were being met.
- (7) What were the outcomes and/or outputs of these evaluations.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

Much of the information requested by the Member is currently publicly available. The 2012, 2013 and 2015 ACT Closing the Gap Reports provide an overview of the programs and services that are funded by the ACT Government and directly aim at improving the outcomes for Aboriginal and Torres Strait Islander people in the ACT. These reports are available in the publication section of the Community Services Directorate website at <http://www.communityservices.act.gov.au/atsia/publications>.

After careful consideration of the question, and advice provided by my Directorate, I have determined that some other information sought is not in an easily retrievable form, and that to collect and assemble the information sought would be a major task, requiring a considerable diversion of resources. In this instance, and given the available public information, I do not believe that it would be appropriate to divert resources away from policy and program delivery to retrieve further information.

(1) (a)

The ACT Government has been a signatory of the Closing the Gap in Indigenous Disadvantage targets since signing the National Indigenous Reform Agreement (NIRA) in 2008 (at **Attachment A**). The Council of Australian Governments (COAG) in December 2007, March 2008 and May 2014 announced the 'Closing the Gap' targets. Originally there were six targets with a seventh added in 2014. The targets are:

- (a) closing the life expectancy gap within a generation (by 2031)
- (b) halving the gap in mortality rates for Indigenous children under five within a decade (by 2018)
- (c) ensuring all Indigenous four year olds in remote communities have access to early childhood education within five years (by 2013)
- (d) halving the gap for Indigenous students in reading, writing and numeracy within a decade (by 2018)
- (e) halving the gap for Indigenous students in year 12 attainment or equivalent attainment rates (by 2020)
- (f) halving the gap in employment outcomes between Indigenous and non-Indigenous Australians within a decade (by 2018)
- (g) closing the gap between Indigenous and non-Indigenous school attendance within five years (by 2018).

The ACT Government developed and signed an Overarching Bilateral Indigenous Plan (OBIP) with the Commonwealth in 2012 (at **Attachment B**). The ACT reconfirmed its commitment to closing the gap in Indigenous disadvantage by developing the *ACT Aboriginal and Torres Strait Islander Agreement 2015-2018* (the Agreement). The Agreement outlines the strategic direction for improving the life outcomes for Aboriginal and Torres Strait Islander people within the ACT (at **Attachment C**).

The Key Focus Areas outlined in the Agreement are closely aligned to the NIRA Building Blocks but are specifically tailored to represent the gaps identified by ACT Aboriginal and Torres Strait Islander communities. COAG's vision for Aboriginal and Torres Strait Islander Australians to have the same life opportunities as other Australians is replicated in the Agreement with the goal to ensure all Canberrans receive the opportunities to achieve equitable outcomes in all aspects of their life.

The key outcome identified by the community was 'Strong Families'. Community stakeholders identified seven key focus areas as critical to strengthening families:

- 1. cultural identity, which is valued and celebrated by the Aboriginal and Torres Strait Islander community of the ACT and the non-Indigenous community;
- 2. healthy mind, healthy body, which is achieved through culturally appropriate holistic delivery of health, education, justice and community services;
- 3. feeling safe, which is an aspect of a safe community and is best achieved through early intervention approaches that stop crimes from being committed;

- 4.connecting the community, which helps to build resilient families, communities and support networks that can self-determine their involvement with the ACT Government and service partners;
- 5.employment and economic independence, which is a key to improving access to opportunities for individuals and families;
- 6.education, which is the foundation of an individual's life outcomes and Aboriginal and Torres Strait Islander communities should have opportunities to be life-long learners; and
- 7.leadership, which recognises the wealth of experience that exists in the Aboriginal and Torres Strait Islander community of the ACT and the need to pass on the skills and knowledge to tomorrow's leaders.

The National Indigenous Reform Agreement and the 'Closing the Gap' agenda are agreements between the Commonwealth of Australia and the States and Territories, while the ACT Aboriginal and Torres Strait Islander Agreement is a partnership between the ACT Aboriginal and Torres Strait Islander communities and the ACT Government.

(1) (b) (c)

In response to questions (1) (b-c), the Education Directorate's *Aboriginal and Torres Strait Islander Education 2015-16 Report to the Legislative Assembly* sets out the suite of educational programs and strategies that the ACT Government is utilising to maximise the learning outcomes for Aboriginal and Torres Strait Islander students. The Report is available on the Education Directorate website at [http://www.education.act.gov.au/\\_\\_data/assets/pdf\\_file/0005/912272/ATSI-Education-Report-FA-web.pdf](http://www.education.act.gov.au/__data/assets/pdf_file/0005/912272/ATSI-Education-Report-FA-web.pdf).

Positive outcomes highlighted in the Report include:

- In 2015, the ACT consistently had a higher proportion of Aboriginal and Torres Strait Islander students achieving at or above the national minimum standard for both reading and numeracy than was the case nationally.
- The ACT is one of only three jurisdictions on track to meet the COAG target for attendance rates for Aboriginal and Torres Strait Islander students by 2018. The ACT saw an increase of 1.6 percentage points, from 83.6 percent in 2014 to 85.2 percent in 2015.
- In ACT public schools in 2015, the apparent retention rate of Aboriginal and Torres Strait Islander students from year 7 to year 10 was 100 percent. This was the same as the rates in 2013 and 2014, and an increase from 88.4 percent in 2012.
- The apparent retention rate for students from year 7 through to year 12 was 89.5 percent in 2015, an increase from 81.0 percent in 2014 and 65.2 percent in 2013.

## (1) (d)

Innovate Canberra has implemented a range of initiatives that contribute to increased opportunities for Aboriginal and Torres Strait Islander peoples to move towards economic independence as outlined in the *ACT Aboriginal and Torres Strait Islander Agreement 2015-18*.

Innovate Canberra has worked with the ACT Aboriginal and Torres Strait Islander Elected Body (ATSIEB), members of the Indigenous business community and the CBR Innovation Network (CBRIN) to design programs and activities that create a positive approach to fostering innovation and entrepreneurship in the ACT Indigenous community and as a means of disseminating targeted and culturally appropriate information on mainstream business program support.

The 2011-2015 *Employment Strategy for Aboriginal and Torres Strait Islanders* committed the ACTPS to increasing the employment of Aboriginal and Torres Strait Islander Peoples from 0.9% in 2010 (179 employees) to 2% in 2015 (407 employees). The Report can be found on the Chief Minister, Treasury and Economic Development Directorate website at [http://www.cmd.act.gov.au/\\_\\_data/assets/pdf\\_file/0007/202894/atsistrategy.pdf](http://www.cmd.act.gov.au/__data/assets/pdf_file/0007/202894/atsistrategy.pdf).

The ACT Public Service State of the Service Report 2016 indicates that as at June 2016, employment of Aboriginal and Torres Strait Islander Peoples had increased to 1.5%.

The 2016-17 ACT Budget funded \$107,000 in additional mentoring and training for Aboriginal and Torres Strait Islander staff in the ACT Public Service to improve their career development outcomes.

## (2) (3)

In response to questions (2) and (3), the 2016-17 Budget included 11 new initiatives worth **\$4.1 million over four years** to specifically support Aboriginal and Torres Strait Islander peoples. This included \$2.3 million of budget funded initiatives and a further \$1.8 million of internally funded initiatives. This funding is in addition to the existing expenditure included in the base of approximately \$20 million per year. Further information on the ACT Government's Aboriginal and Torres Strait Islander Budget is available on the ACT Government website at <http://apps.treasury.act.gov.au/budget/budget-2016-2017/fact-sheets/a-And-tsi-community>.

- (4) The Indigenous Expenditure Report presents nationally comparable information on government expenditure on services to Aboriginal and Torres Strait Islander Australians. It contributes to governments' understanding of the levels and patterns of expenditure on services that relate to Aboriginal and Torres Strait Islander Australians, and provides policy makers with an additional tool for targeting policies to close the gap in Aboriginal and Torres Strait Islander disadvantage. Previous Indigenous Expenditure Reports are available on the Productivity Commission's website at <http://www.pc.gov.au/research/ongoing/indigenous-expenditure-report>.

## (5) (6) (7)

In response to questions (5) through (7), the Aboriginal and Torres Strait Islander Affairs Subcommittee to the ACT Public Service Strategic Board (the Subcommittee)

oversees the review and evaluation of Aboriginal and Torres Strait Islander programs and strategies in the ACT. The Subcommittee arranges periodic gap analyses to ensure that the ACT Government service and funding approach is comprehensive and efficient.

The Subcommittee also has oversight on the development of the Aboriginal and Torres Strait Islander Outcomes Framework, which is due to be completed soon. The Office for Aboriginal and Torres Strait Islander Affairs is coordinating the development of the Outcomes Framework with input from all Directorates. The Outcome Framework will identify key community outcomes that all ACT Government Aboriginal and Torres Strait Islander programs and services will need to demonstrate. This will move the government away from an input/output evaluation model and towards an outcome/impact evaluation approach.

The ACT Closing the Gap Report was previously used as the reporting tool for Aboriginal and Torres Strait Islander Services in the ACT. The Closing the Gap Report will be retooled into an annual report on Aboriginal and Torres Strait Islander Affairs in the ACT. This annual report will report on the outcomes of programs and services.

*(Copies of the attachments are available at the Chamber Support Office).*

### **ACT public service—disability employment (Question No 4)**

**Ms Lee** asked the Minister for Disability, Children and Youth, upon notice, on 16 December 2016 (*redirected to the Chief Minister*):

What was the total number of people with a disability working for the Australian Capital Territory Public Service in (a) 2011, (b) 2012, (c) 2013, (d) 2014, (e) 2015 and (f) 2016.

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

The total number of People with Disability working in the Australian Capital Territory Public Service from 2011 to 2016 was:

	June 2011	June 2012	June 2013	June 2014	June 2015	June 2016
Headcount	351	343	384	415	437	458
Percentage of total workforce	1.9%	1.8%	1.9%	2.0%	2.1%	2.2%

### **Schools—reporting (Question No 5)**

**Ms Lee** asked the Minister for Education and Early Childhood Development, upon notice, on 16 December 2016:

- (1) What is the number of students who graduate from Black Mountain School and The Woden Valley School each year.
- (2) How many graduates from Black Mountain and The Woden Valley Schools (a) take up places in tertiary education institutions, (b) find employment in the government sector and (c) find employment in the non-government sector.
- (3) What programmes are in place to further enrich the lives of the students graduating from both Black Mountain and the Woden Valley Schools who do not find places in further education or employment.

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

- (1) Black Mountain is a specialist secondary school (years 7-12) for students with an intellectual disability. The Woden School provides individual education programs for students in years 7 to 12 with an intellectual disability and/or autism. The school was expanded to include year 12 in 2012.

The table below provides data on the number of graduates in special schools over the past four years:

School	2013	2014	2015	2016
Black Mountain	Year 12: 24	Year 12: 17	Year 12: 17	Year 12: 19
Woden School	Year 10: 9 Year 12: 8	Year 10: 17 Year 12: 11	Year 10: 3 Year 12: 6	Year 10: 17 Year 12: 12

- (2) The data to answer the Member's question is not available.
- (3) Students graduating from Black Mountain School and Woden School are eligible for the National Disability Insurance Scheme (NDIS). The NDIS supports the employment, recreational and social goals of young people with disability through individual funding packages, linkages and supports for community access.

In particular, the NDIS fund the School Leaver Employment Supports (SLES). In the ACT, year 12 school leavers with disability who require assistance to transition to open employment may be eligible to access SLES through the NDIS.

- SLES is a NDIS initiative being trialled in the ACT and Tasmania which can provide school leavers with up to two years of support to access further training and develop the skills necessary to participate in the workforce. These supports can include work experience (generally in open employment), job site training, travel training and activities that contribute to achieving an employment outcome and linkages to ongoing employment support.
- In 2015 and 2016 the Education Directorate has worked in partnership with the National Disability Insurance Agency (NDIA) to support students with disability to make a smooth transition to SLES or other employment supports. School staff with the knowledge of individual students complete an online functional work assessment for potentially eligible students. The NDIS uses this assessment to determine eligibility for SLES - a highly individualised package of supports valued at a maximum of \$21,000 per annum over two years.

In addition, the transitions and careers team in the Education Directorate provide support to Black Mountain and Woden School students when required. Information is also provided to students, parents/carers and teachers about:

- Disability Employment Support (DES) providers; assist young people to prepare for, find and keep sustained employment.
- Registered Training Organisations (RTOs); provide vocational training for people with disability.
- Australian Disability Enterprise (ADE) services; provides assisted employment for both the short and long term.
- NDIS life skills training.
- Pathways planning; assists young people with their transition and career planning.

### **Environment—bettong release program (Question No 6)**

**Ms Lee** asked the Minister for the Environment and Heritage, upon notice, on 16 December 2016:

- (1) What is the cost to the Environment, Planning and Sustainable Development Directorate for the bettong release program in the Lower Cotter catchment and Mulligans Flat Woodland Sanctuary including (a) the rearing of animals at Tidbinbilla, (b) the fence construction and maintenance at Mulligans Flat Woodland Sanctuary and (c) the two years of fox control in the Lower Cotter.
- (2) What are the objectives of the current bettong translocation program including (a) the population being aimed for, (b) over what area and (c) in what time frame.
- (3) What planning and management plans are in place to ensure the success of this translocation program.
- (4) Has there been a rigorous planning process and assessment executed against the International Union for Conservation of Nature translocation guidelines.

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

- (1) (a) \$0.095m per annum.  
 (b) Total construction cost for the Mulligans Flat Woodland Sanctuary predator proof fence was approximately \$1.3million and was completed in 2009.  
 Total maintenance cost for the fence is approximately \$0.144m per annum.  
 (c) \$0.198m over two years.
- (2) The objective of a trial release of Eastern Bettongs into the Lower Cotter Catchment is to establish whether it is feasible to successfully reintroduce Eastern Bettongs outside a fenced reserve within the Lower Cotter catchment.  
 (a) There is no specific target population size for this trial release because the main objective is garnering information, not establishing a population. If a full reintroduction is considered feasible, the number of animals to be released would

be determined based on the results of the trial including the area's carrying capacity.

- (b) There is no specific area for reintroduction but predator control is currently implemented across approximately 8,000 ha to support the trial.
- (c) The trial was initiated on the 8 August 2016 and is likely to conclude in March 2017.
- (3) This initiative is not a full scale translocation project. It is a trial designed to test methods which might lead project partners to determine if a full scale translocation could be possible.

Dr. Nicola Munro, Helen Crisp and Prof. Adrian Manning from the Australian National University's Fenner School have guided the decision making associated with the trial release.

- (4) Yes. The multi-phased design of this project, including a feasibility trial, goes above and beyond the reasonable standards suggested in the IUCN Guidelines.

The entire project is approved by the Australian National University (ANU) Animal Experimentation Ethics Committee (AEEC). The bettongs were only released when pre-determined levels of fox activity (detections on a camera network) were met.

## **Housing—social housing costs (Question No 7)**

**Mr Parton** asked the Minister for Housing and Suburban Development, upon notice, on 16 December 2016:

- (1) In relation to social housing for (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015 16 and (e) for the 2016-17 budget, could the Minister provide a table showing the total operating cost amount spent by the Government on its social housing stock (as opposed to that owned and also separately funded by community service providers), divided into (i) payments to Spotless for repairs and maintenance, (ii) payments to Spotless for other services, (iii) total payments to Spotless, (iv) major refurbishments (if separate to (i)), (v) tenant relocations and transfer costs, (vi) interest expenses, (vii) the Community Services Directorate's administrative expenses (and separately identified, those for Housing ACT as applicable), related to management of the social housing function, (viii) the Community Services Directorate's staff salaries (and separately identified, those for Housing ACT as applicable), related to management of the social housing function, (ix) other operating costs (separate to those above) expended by the Community Services Directorate (and separately identified, those for Housing ACT as applicable), in relation to management and provision of social housing, (x) total staff full time equivalent paid by the Community Services Directorate and also by Housing ACT in relation to the social housing function, (xi) total rent received each year from tenants of social housing and (xii) the total number of properties for each year that the rental income is related to.
- (2) What operating cost budgets, for the 2016-17 Budget, have been allocated by other Directorates in relation to support for, or management of, the ACT social housing function.

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

(1)

<b>Q. (1)</b>		<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>
<b>Part</b>		<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>	<b>\$'000</b>
(i)	Repairs and Maintenance	30,413	31,915	31,077	34,585	31,295
(ii)	Spotless – Other Services	6,390	6,102	7,211	6,615	7,613
(iii)	Total Payments to Spotless	41,243	50,471	49,605	48,468	48,568
(iv)	Major refurbishments	8,659	11,270	11,138	11,880	11,596
(v)	Tenant Relocation Costs	281	376	204	301	1,231
(vi)	Interest	3,975	3,756	3,537	3,247	3,035
(vii)	Administrative Expenses	5,560	5,576	5,566	5,244	5,710
(viii)	Salaries	23,496	24,715	24,530	26,979	29,970
(ix)	Other Operating Costs	60,716	65,295	75,599	66,887	84,313
(x)	FTE's	231	242	233	244	256
(xi)	Total Rent Received	88,001	87,881	85,489	85,678	84,695
(xii)	Total Number of properties	11,851	11,778	11,596	11,688	11,928

- (2) No other Directorates have allocated operating costs for managing social housing. However, management of the Public Housing Renewal Program to replace 1,288 public housing dwellings along Northbourne Avenue and at other locations across Canberra is undertaken and funded through the Chief Minister, Treasury and Economic Development Directorate.

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### **Housing—social housing resident figures (Question No 8)**

**Mr Parton** asked the Minister for Housing and Suburban Development, upon notice, on 16 December 2016:

- (1) In relation to social housing procured and supplied by the Community Services Directorate (and Housing ACT as appropriate), for (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) expected for the 2016-17 Budget, could the Minister provide a table showing the (i) total resident population as at 30 June for each of the years above, (ii) number of new residents accommodated each year, (iii) number of residents who transferred out to accommodation procured and supplied by community service providers, (iv) number of residents evicted, (v) number of residents who transferred out into accommodation in the private sector and no longer dependant on social housing and (vi) net change in resident population for each year.
- (2) In relation to social housing procured and supplied by community services providers for (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) expected for the 2016-17 Budget, could the Minister provide a table showing (i) the total resident population as at 30 June for each of the years, (ii) the number of new residents accommodated each year, (iii) the number of residents who transferred back into housing procured and supplied by the Community Services Directorate (and Housing ACT as appropriate), (iv) the number of residents evicted, (v) the number of residents who transferred out into accommodation in the private sector and no longer dependant on social housing and (vi) the net change in resident population for each year.
- (3) Can the Minister provide a consolidation of the figures for parts (1) and (2).

- (4) What was the number of rent paying tenants, as opposed to total resident population, for (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) expected for the 2016-17 Budget.

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

Data for 2016-17 is not yet available and therefore not included in the table below.

(1)	<b>Public Housing <sup>(1)</sup></b>	<b>(a) 2012-13</b>	<b>(b) 2013-14</b>	<b>(c) 2014-15</b>	<b>(d) 2015-16</b>
(i)	Total Resident Population <sup>(2)</sup>	22,767	22,621	22,096	21,850
(ii)	New Residents	2,268	2,064	1,824	1,987
(iii)	Transferred to Community Sector <sup>(3)</sup>	-	-	-	-
(iv)	No. of residents Evicted	41	65	48	51
(v)	Transferred to private market <sup>(4)</sup>	1,963	1,706	1,686	1,575
(vi)	Net change in Residents	-329	-146	-525	-246
(2)	<b>Community Sector <sup>(5)</sup></b>				
(i)	Total Resident Population	643	644	692	749
(ii)	New Residents	542	530	574	634
(iii)	Transferred to Public Housing <sup>(6)</sup>	-	-	-	-
(iv)	No. of residents Evicted <sup>(6)</sup>	-	-	-	-
(v)	Transferred to private market <sup>(6)</sup>	-	-	-	-
(vi)	Net change in Residents	16	1	48	57
(3)	<b>Consolidated</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
(i)	Total Resident Population	23,410	23,265	22,788	22,599
(ii)	New Residents	2,810	2,594	2,398	2,621
(iii)	Net Transfers <sup>(3) &amp; (6)</sup>	-	-	-	-
(iv)	No. of residents Evicted	41	65	48	51
(v)	Transferred to private market	1,963	1,706	1,686	1,575
(vi)	Net change in Residents	-313	-145	-477	-189
(4)	<b>Number of Rent Paying Tenants <sup>(7)</sup></b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>
		100%	100%	100%	100%

#### Notes

(1) Only includes public housing tenancies and therefore excludes student accommodation, properties headleased to the community sector and other program properties.

(2) Total residents at 30 June each year

(3) Data not available

(4) Based upon tenancy termination reasons such as purchase a home in the ACT or interstate, to rent privately or to relocate into a nursing home or aged care facility.

(5) Data is from the National Community Housing Data Collection for the five major community housing organisations with ongoing arrangements with the ACT Government. The organisations include: Havelock Housing Association, Argyle Community Housing, Capital Community Housing, Environmental Collective Housing Organisation, and Tamil Senior Citizens. These are organisation that have received capital or recurrent subsidy from government for the purpose of providing community housing and excludes

dwellings where the tenancies are managed under crisis accommodation, affordable rental, transitional housing, other specific purpose tenancy management such as mental health or drug and alcohol rehabilitation.

(6) Data not available/not collected

(7) All tenants are required to pay rent. The amount of rent payable for each tenancy is the lower of the market rent or an amount equivalent to 25% of the assessable household income. The income of the tenant and all adult residents is taken into account when determining the amount of the assessable household income for determining the rent payable by the tenant with the difference between the market rent and the income based rent provided as a rebate of rent. Some sources of income are exempt, whilst other may be assessed at a rate less than 25%, such as Family Tax A, of which only 10% is included in the determination of household income. For further details refer to clause 25 of the Housing Assistance Public Rental Housing Assistance Program 2013 (no.1) on the Legislation Register.

## **Housing—social housing stock (Question No 9)**

**Mr Parton** asked the Minister for Housing and Suburban Development, upon notice, on 16 December 2016:

- (1) In relation to social housing properties, excluding those procured or supplied by community service providers, for (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) planned in the 2016-17 Budget, could the Minister provide a table showing the (i) total number of properties (divided into houses, units or other accommodation types) as at 1 July of each financial year, (ii) number of properties brought on line for each year divided into (A) those constructed by the relevant directorate or agency, (B) those purchased, (C) those leased and (D) those procured by other means, (iii) number of properties disposed of or decommissioned during each year, (iv) number of properties as at 30 June for each year, (v) number of vacant properties as at 1 July for each year, (vi) number of vacant properties as at 30 June for each year and (vii) the reasons for or causes of the vacancies.
- (2) In relation to properties procured or supplied by registered community housing providers for (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) planned in the 2016-17 budget, could the Minister provide a table showing the (i) total number of properties (divided into houses, units or other accommodation types) as at 1 July of each financial year, (ii) number of properties brought on line for each year by community service providers divided into (A) those constructed by each community service provider, (B) those purchased, (C) those leased and (D) those procured by other means, (iii) number of properties disposed of or decommissioned by community service providers during each year, (iv) number of properties as at 30 June for each year, (v) number of vacant properties as at 1 July for each year, (vi) number of vacant properties as at 30 June for each year and (vii) the reasons for or causes of the vacancies.
- (3) Could the Minister provide a table showing the total properties as outlined in parts (2)(i) to (vii) resulting from the sum of parts (1) and (2) for (a) 2012 13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) planned for the 2016 17 Budget.

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

- (1) Please note that end of year data is point of time and fluctuations to vacant property numbers will occur throughout the year. Vacant property numbers are further impacted by the progression of the Public Housing Renewal Program.

<b>Public Housing</b>		<b>(a)</b>	<b>(b)</b>	<b>(c)</b>	<b>(d)</b>	<b>(e)</b>
		<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>2016-17</b>
<b>Part</b>						
(i)	Houses	7,473	7,508	7,476	7,462	7,512
	Flats	2,618	2,644	2,619	2,458	2,458
	Older Persons Accommodation	1,757	1,699	1,684	1,676	1,689
	<b>Total</b>	<b>11,848</b>	<b>11,851</b>	<b>11,779</b>	<b>11,596</b>	<b>11,659</b>
(ii)	Acquisitions					
	(A) Constructed	117	49	100	75	61
	(B) Purchased	10	11	32	68	17
	(C) Leased	-	-	-	-	-
	(D) Other (Public Housing Renewal Program)	1	-	6	101	536
(iii)	Disposals	125	132	321	152	345
(iv)	No. of Properties as at 30 June	11,851	11,779	11,596	11,688	11,928
(v)	No. of Vacant Properties as at 1 July	190	209	162	161	256
(vi)	No. of Vacant Properties as at 30 June	209	162	161	256	N/A
(vii)	Reason for Vacancy					
	Internal transfers	87	69	46	105	-
	Evictions or property abandoned	12	10	13	18	-
	Termination of tenancy	103	78	94	118	-
	New property awaiting tenanting	7	5	8	15	-

- (2) In relation to properties procured or supplied by registered community housing providers for:

(a) 2012-13 - 911 properties/dwelling units;

(b) 2013-14 - 992 properties/dwelling units;

(c) 2014-15 - 1,224 properties/dwelling units;

(d) 2015-16 - 1,465 properties/dwelling units;

(e) (i) The Human Services Registrar does not collect detailed information as to the number of houses, units and other accommodation types. The number of properties above are per dwelling or lockable units.

(ii) number of properties brought on line for each year by community service providers:

	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>2015-16</b>	<b>Budget 2016-17</b>
Constructed by the providers during the year	75	75	45	35	20

Purchased by the providers during the year	-	-	10	1	-
Managed/Head leased properties as at end of each year	440	484	644	874	975
Procured by other means (constructed by ACT Government)	-	-	40	20	-

(iii) number of properties disposed of or decommissioned by community service providers during each year:

	2012-13	2013-14	2014-15	2015-16
Properties sold during the year	30	34	39	22

(iv) number of properties as at 30 June for each year:

	2012-13	2013-14	2014-15	2015-16
Total Number of Properties	911	992	1,224	1,465

(v), (vi), (vii) The Human Services Registrar has no complete data of vacant properties as the end of each year and the reasons and/or causes of vacancies.

- (3) Please refer to Answer 1). There is not sufficient information available to include aggregated data on properties procured or supplied by registered community housing providers and public housing.

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### Health—sleep studies (Question No 10)

**Mrs Dunne** asked the Minister for Health, upon notice, on 16 December 2016 (*redirected to the Acting Minister for Health*):

- (1) What is the current waiting time for results of sleep studies in the ACT and what is the clinically recommended time.
- (2) What is the current waiting time for a sleep study in the ACT and what is the recommended time.
- (3) How many patients are on the waiting list for sleep studies in the ACT.
- (3) How many people in the ACT have been diagnosed with sleep apnea.

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

- (1) The average time for sleep study analysis and preparation of a report at Canberra Hospital is 18 calendar days.

The Current Standard for Sleep Disorders Services published by the Australasian Sleep Association (ASA) and National Association of Testing Authorities (NATA) recommends

“Correspondence, including patient letters and reports, should be completed promptly (within ten (10) business days) following each patient contact”.

- (2) The current waiting time for a patient triaged as urgent to access a home based sleep study is 30 days. The current waiting time for a patient triaged as urgent or semi urgent to access a hospital based sleep study is 152 days.

The recommended timeframe by ASA/NATA standards is as follows:

“Urgent cases should be assessed and studied in less than four (4) weeks. Non-urgent cases should be assessed and studied in less than four (4) months. Where a case is found to require urgent treatment for a sleep disorder, treatment should be commenced within one (1) month”.

- (3) At Canberra Hospital, there are currently 129 patients waiting for Hospital-Based Sleep Study and 39 patients waiting for home-based sleep study.
- (4) At the Canberra Hospital Sleep Laboratory, 200 patients were diagnosed to have moderate to severe sleep apnoea (57 per cent) in 2016 out of 349 diagnostic sleep studies conducted.

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**Chief Minister, Treasury and Economic Development Directorate—FOI requests  
(Question No 11)**

**Mr Coe** asked the Chief Minister, upon notice, on 16 December 2016:

- (1) How many requests were received under the Freedom of Information Act 1989 (FOI Act) by the Chief Minister, Treasury and Economic Development Directorate in (a) 2015-16 and (b) 2016-17 to date.
- (2) How many of the total number of requests received in (a) 2015-16 and (b) 2016-17 to date (i) were finalised within the timeframe as specified by the FOI Act and (ii) are yet to be finalised.

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

- (1)
- (a) 229  
Source: <http://www.justice.act.gov.au/page/view/4041/title/annual-report-2015-2016>
- (b) 127 (as at 16 December 2016)
- (2) The FOI Act provides for extension of the original due date by 30 days in cases where third-party consultation is required, by a relevant number of days when applicants have been notified of a liability to pay charges, and for extensions to be negotiated with the applicant. Readily available data does not identify instances in which due dates were extended under these circumstances.

The time taken to complete a request can also be impacted by delayed response from an applicant in instances where the Directorate has sought to clarify or refine a requests scope, or where applied charges remain unpaid for a period.

(a)

Less than 31 days	31 – 45 days	46 – 60 days	61 – 90 days	91 days or more	Decision pending	Withdrawn
83	29	33	16	11	31	26

Source: <http://www.justice.act.gov.au/page/view/4041/title/annual-report-2015-2016>

(b)

Less than 31 days	31 – 45 days	46 – 60 days	61 – 90 days	91 days or more	Decision pending	Withdrawn
47	17	10	7	7	26	13

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**Chief Minister, Treasury and Economic Development Directorate—  
workplace bullying  
(Question No 12)**

**Mr Coe** asked the Chief Minister, upon notice, on 16 December 2016:

Can the Minister provide for (a) 2015-16 and (b) 2016-17 to date, by agency or authority under the Chief Minister, Treasury and Economic Development Directorate, (i) the number of informal complaints or issues raised regarding workplace bullying, (ii) the number of formal complaints submitted regarding workplace bullying, (iii) how many resulted in a formal intervention, of the number of informal issues raised and formal complaints submitted, (iv) the number of complaints, both informal and formal, that have not been resolved, (v) did any agency or authority fail to provide regular information to work safety committees on the number of reports regarding workplace bullying made; if so, can the Minister list the name of that agency or authority (vi) were any common factors identified in the informal or formal complaints received and (vii) retention and separation rates (including transfers to other agencies or authorities in the ACT public service).

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

(i)

- a) 2015-16      12
- b) 2016-17      12 (to date 30/11/16)

(ii)

- a) 2015-16      8
- b) 2016-17      6 (to date 30/11/16)

(iii)

- a) 2015-16 1
- b) 2016-17 1 (to date 30/11/16)

(iv)

- a) 2015-16 Nil
- b) 2016-17 1 (to date 30/11/16)

(v) CMTEDD provides regular de-identified accident/incident reports (which includes reports of bullying harassment reported through Riskman) to the Directorate Work Health Safety Committee.

(vi) Common factors include varying levels of staff conflict, inappropriate behaviour (one off instances), and poor interpersonal communication.

(vii)

- a) 2015-16 Retention Rate  
87.6%

2016-2017 Retention Rate

Figures not available.

A comparison of 1 July 2015 – 30 November 2015 and 1 July 2016 – 30 November 2016 periods shows a decrease of 0.6% in the retention rate.

- b) 2015-2016 Separation Rate  
11.9%

2016-2017 Separation Rate

Figures not available.

A comparison of 1 July 2015 – 30 November 2015 and 1 July 2016 – 30 November 2016 periods shows an increase of 1.8% in the separation rate.

**Note:** CMTEDD data is inclusive of staff supporting the Gambling and Racing Commission and ACT IA.

### **Westside village—costs (Question No 13)**

**Mr Coe** asked the Chief Minister, upon notice, on 16 December 2016 (*redirected to the Minister for Urban Renewal*):

- (1) What is the total amount spent by the ACT Government in support of the Westside Village located at West Basin since its establishment.
- (2) Can the Chief Minister specify the total amount spent to date on (a) rental subsidies, (b) infrastructure works at the site, (c) site improvements or enhancements, including

water and electricity upgrades, (d) external contractors, including event specialists, (e) advertising and (f) the salary and on-costs of any public servants working in support of the Westside Village.

(3) How many traders continue to operate at Westside Village.

(4) How many traders have left the Westside Village since its establishment.

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

(1) As at 31 December 2016 the total amount spent by the ACT Government on Westside Village was \$1,795,112 ex GST.

(2) Breakdown of expenditure as at 31 December 2016 (all ex GST):

a. Rental subsidies: Vendor rents have not been subsidised. Vendors have been charged commercial rates until 1 January 2017. Vendors remaining at Westside after 1 January 2017 have been offered a peppercorn rent until 30 April 2017.

b. Infrastructure works at site: Cost of infrastructure works including professional fees: \$1,312,372.

c. Site improvements or enhancements, including water and electricity upgrades: These costs are included in the infrastructure costs above.

d. External contractors, including event specialists: \$90,366.

e. Advertising: \$4,531 has been expended on advertising. Noting that event advertising costs have been included above in response d. related to event specialists.

f. Salary and on-costs of any public servant working in support of Westside Village:

ACT Property Group manages Westside Village and has a dedicated officer who manages the tenancies and the operation and maintenance of the village. ACT Property Group has incurred staff costs of \$44,801 from 11 August 2015 until 31 December 2016.

The LDA does not have any dedicated staff to manage Westside. The LDA commenced allocating staff costs to Westside on 17 August 2015. As of 11 January 2017 the LDA has allocated \$69,939 of staff costs to Westside.

(3) As at 20 December 2016, nine traders, across 11 outlets operated at Westside.

(4) As at 20 December 2016, two traders have left Westside since its establishment. One moved interstate and the other left to operate a restaurant.

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### **Tourism—signage costs (Question No 14)**

**Mr Coe** asked the Chief Minister, upon notice, on 16 December 2016 (*redirected to the Minister for Tourism and Major Events*):

- (1) How many “Welcome to Canberra” signs and “Sister City” signs have been installed.
- (2) What is the location of each of the “Welcome to Canberra” and “Sister City” signs.
- (3) What is the total cost for designing, producing and installing the “Welcome to Canberra” and “Sister City” signs.
- (4) Of the total cost referred to in part (3), what is the amount paid by the (a) ACT Government and (b) Federal Government.

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

- (1) There are four ‘Welcome to Canberra’ signs and four ‘Sister City’ signs, eight signs in total.

At each of the four locations where the signs are installed there is a Welcome to Canberra and Sister City sign (i.e. two signs at each location).

- (2) The four locations where signs (1 x Welcome to Canberra and 1 x Sister City) are installed are:

- i. Pialligo Avenue;
- ii. Monaro Highway;
- iii. Barton Highway; and
- iv. Federal Highway.

- (3) The total cost for the design, production and installation of the ‘Welcome to Canberra’ and ‘Sister City’ signs was \$860,000.

- (4) ACT Government contribution totalled \$610,000 (including \$460,000 from VisitCanberra and \$150,000 from TaMS (now TCCS)).

The Australian Government contributed \$250,000 through the Tourism Demand Driver Infrastructure initiative (administered by VisitCanberra).

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### **Motor vehicles—registration (Question No 15)**

**Mr Coe** asked the Chief Minister, upon notice, on 16 December 2016 (*redirected to the Treasurer*):

- (1) How is stamp duty applied when a used motor vehicle is registered in the ACT, including the rates of duty imposed and the base to which it is applied.
- (2) In calculating the amount of stamp duty payable upon the registration of a used vehicle, does the base include the GST component which an owner may be paid; if so, is that double taxation.
- (3) In relation to parts (1) and (2), are duties applied double taxation.
- (4) How does the stamp duty regime for used motor vehicles in the ACT compare with that in NSW and in Victoria.

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

- (1) Information on how stamp duties applies to motor vehicle sales in the ACT can be found on the ACT Revenue Office's website at: <http://www.revenue.act.gov.au/duties-and-taxes/duties/motor-vehicles>.
- (2) Duty is calculated and payable on the dutiable value of a motor vehicle, which includes the Goods and Services Tax (GST) if it is charged. All States and Territories assess the dutiable value of a motor vehicle inclusive of GST. This GST-inclusive method was confirmed by the ACT Civil and Administrative Tribunal in the 2011 case *Snezana Pty Ltd v Commissioner for ACT Revenue*.
- (3) See answer to question (2).
- (4) All States and Territories assess the dutiable value of a motor vehicle inclusive of GST.

Information about motor vehicle duty in NSW is available on the NSW Office of State Revenue website at: <http://www.osr.nsw.gov.au/taxes/vehicle>.

Information about motor vehicle duty in Victoria is available on the VicRoads website at: <https://www.vicroads.vic.gov.au/registration/registration-fees/transfer-and-motor-vehicle-duty-fees>.

## **Education—preschools (Question No 16)**

**Mr Coe** asked the Minister for Education and Early Childhood Development, upon notice, on 16 December 2016:

- (1) Can the Minister advise the (a) enrolled capacity, (b) number of students actually enrolled in 2015, (c) number of students actually enrolled in 2016 and (d) number of students forecast to be enrolled in 2017 for (i) Amaroo Preschool, (ii) Franklin Early Childhood School, (iii) Harrison Preschool, (iv) Ngunnawal Preschool, (v) Nicholls Preschool, (vi) Palmerston District Preschool, (vii) Amaroo School, (viii) Gold Creek School, (ix) Harrison School, (x) Ngunnawal Primary School, (xi) Palmerston District Primary School and (xii) Gungahlin College.
- (2) When will the work be completed to expand the facilities at (a) Harrison School, (b) Palmerston Preschool and (c) Amaroo School.
- (3) What is the status of the proposed new primary school in north Gungahlin.

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

- (1) Enrolment and Capacity of Gungahlin schools

School	(a) 2017 School capacity	(b) 2015 enrolment	(c) 2016 enrolment	(d) 2017 Projected enrolment
i. Amaroo Preschool	132	132	126	132

School	(a) 2017 School capacity	(b) 2015 enrolment	(c) 2016 enrolment	(d) 2017 Projected enrolment
ii. Franklin ECS (P-2)	322	233	290	322
iii. Harrison Preschool	132	149	150	132
iv. Ngunnawal Preschool	132	133	115	110
v. Gold Creek Preschool (Nicholls)	110	126	124	110
vi. Palmerston District Preschool	110	97	96	110
vii. Amaroo School (K-10)	1,884	1575	1564	1,609
viii. Gold Creek School (K-10)	1,683	972	1,089	1,164
ix. Harrison School (K-10)	2,084	1,414	1,541	1,689
x. Ngunnawal Primary School	700	551	600	630
xi. Palmerston District School	644	417	456	489
xii. Gungahlin College	1,321	991	1,052	1,130

(2) The works will be completed at:

- a) Harrison School – The delivery of this building is scheduled for the start of Term 2, 2017.
- b) Palmerston Preschool – The preschool building has been delivered to the school and will be ready for use from day 1 of the 2017 school year.
- c) Amaroo School – the new student accommodation is scheduled to be delivered for day one of the 2018 school year.

(3) The procurement of the new primary school in north Gungahlin is currently in progress. Tenders closed on 9 December 2016 and the tender evaluation process has commenced.

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## Health—hoarding (Question No 17)

**Mr Coe** asked the Minister for Health, upon notice, on 16 December 2016 (*redirected to the Acting Minister for Health*):

- (1) How many complaints regarding hoarding have been investigated by the Chief Health Officer and the Health Protection Service in (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) 2016-17 to date.
- (2) Of the complaints received, how many involve longstanding cases which have been unresolved for several years.
- (3) What action is being taken to address those cases where hoarding behaviour has been documented over several years and is ongoing.
- (4) Does the Health Protection Service take proactive measures to monitor those longstanding cases or does the Service rely on reports from neighbours before any investigation is undertaken.

- (5) Which agencies work with the Health Protection Service on hoarding complaints.
- (6) Has a code of practice now been determined to set out guidelines for the Chief Health Officer about the public health management of insanitary conditions caused by hoarding and domestic squalor as provided by the 2016 amendments to the Public Health Act 1997.
- (7) Have improved administrative mechanisms been introduced for the submission and implementation of an abatement order, as granted by the ACT Magistrates Court, following the 2016 amendments to the Public Health Act 1997.

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

- (1) From 1 July 2012 to 31 December 2016, the HPS received 532 environmental health complaints, which cover a broad spectrum of issues and may also include complaints about hoarding-like behaviours. Of the 532 environmental health complaints received from 1 July 2012 to 31 December 2016, the HPS issued 25 abatement notices upon investigation for matters that are, or are likely to become an insanitary condition that poses a public health risk. Of the 25 abatement notices issued, 10 abatement notices were for insanitary conditions involving hoarding-like behaviours.

- (2) The HPS has been dealing with one residential property that has had repeated incidents of insanitary conditions over several years. ACT Health continues to monitor and take regulatory action as appropriate with regard to this property.

There are also two other residential properties that involve ongoing hoarding-like behaviour but do not constitute an insanitary condition. ACT Health is working collaboratively with all relevant agencies to help address community concerns regarding hoarding at these properties.

- (3) Hoarding is a complex problem that is largely beyond the scope of the HPS's role as a protector of public health. The HPS has invested considerable resources into improving the response to hoarding like behaviours that cause insanitary conditions that pose a public health risk.

ACT Government and non-government agencies have a range of services and resources that can complement each other to manage cases involving hoarding-like behaviour. A multi-agency approach allows more efficient management of cases of hoarding-like behaviours that may lead to an insanitary condition. To facilitate an improved response to issues of hoarding, the Hoarding Case Management Group has been established comprising relevant government and non-government agencies.

- (4) The HPS actively investigates the small number of residential premises found to pose a public health risk due to insanitary conditions caused by hoarding-like behaviour. This includes ongoing monitoring as appropriate.
- (5) The HPS has adopted a collaborative, interagency approach to respond to cases of severe domestic squalor and hoarding-like behaviour in the ACT. This is exercised through the Hoarding Case Management Group, whose membership comprises representatives from:
  - Health Protection Service, ACT Health
  - Mental Health, Justice Health, Alcohol and Drug Services, ACT Health

- Construction, Environment and Workplace Protection, Access Canberra
- ACT Fire and Rescue, Emergency Services Agency
- Housing ACT, Community Services Directorate
- Planning Enforcement, Access Canberra
- Transport Canberra and City Services, Territory and Municipal Services
- ACT Ambulance Service, Emergency Services Agency
- Child and Youth Protection Services, Community Services Directorate
- Supportive Tenancy Service, Woden Community Service
- Canberra Living Conditions Network

(6) The HPS has developed the draft Hoarding Code of Practice 2016 and provided it to members of the Hoarding Case Management Group for consultation. A finalised Code of Practice is expected to be implemented in the first quarter of 2017.

(7) In August 2016, the ACT Legislative Assembly passed the *Public Health Amendment Act 2016* to increase regulatory transparency and streamline administration around the public health management of insanitary conditions. The 2016 amendments to the *Public Health Act 1997* provided the Chief Health Officer opportunity to reapply for an Abatement Order for recurring insanitary conditions.

In December 2016, the HPS implemented an Abatement Order (under the improved administrative mechanisms) at a residential property to clear and dispose of a large amount of rubbish to address the insanitary conditions at the property.

### Transport Canberra and City Services Directorate—FOI requests (Question No 18)

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 16 December 2016 (*redirected to the Acting Minister for Transport and City Services*):

- (1) How many requests were received under the Freedom of Information Act 1989 (FOI Act) by the Transport Canberra and City Services Directorate (formerly the Territory and Municipal Services Directorate) in (a) 2015-16 and (b) 2016-17 to date.
- (2) How many of the total number of requests received in (a) 2015-16 and (b) 2016-17 to date (i) were finalised within the timeframe as specified by the FOI Act and (ii) are yet to be finalised.

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

(1) and (2)

	Received	Transferred	Withdrawn	Total	Finalised within Statutory Timeframe
<b>2015-2016</b>	102	11	5	86	54
<b>2016-2017</b>	41 (@ 16 December 2016)	4	7	30	12

- One request is still pending for 2015-2016; and
- As of 16 December, eight requests were still pending for 2016-2017.

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### **Municipal Services—mowing (Question No 19)**

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 16 December 2016:

- (1) What is the amount and the proportion of the total recurrent budget for Transport Canberra and City Services (formerly Territory and Municipal Services) allocated to urban mowing services for (a) 2015-16 and (b) 2016-17.
- (2) What is the proportion of mowing undertaken by public servants and by external contractors for (a) 2015-16 and (b) 2016-17 to date.
- (3) What is the total number of complaints or queries received from residents regarding urban mowing of public areas (a) 2015-16 and (b) 2016-17 to date.
- (4) Of the total number of urban mowing complaints or queries received for (a) 2015-16 and (b) 2016-17 year to date, can the Minister break the total down into the regions of (i) Belconnen, (ii) Gungahlin, (iii) Inner North, (iv) Inner South, (v) Tuggeranong and (vi) Woden Valley and Weston Creek.

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

(1)

	<b>2015-16 (\$m)</b>	<b>2016-17 (\$m)</b>
Urban Mowing Budget	7.1	7.5
Proportion of Total Budget	2.2%	2.6%

(2) The proportion of grass mown by TCCS employees in (a) 2015-2016 was approximately 72% versus 28% by contractors and in (b) 2016-17 (to date) the grass mown by TCCS employees is approximately 73% versus 27% by contractors.

(3) (a) 479 grass-related complaints or queries were received in 2015-16 and (b) 878 grass-related complaints or queries were received in 2016-17.

(4) A breakdown of complaints by region is as follows:

<b>Region</b>	<b>2015-16</b>	<b>2016-17</b>
Belconnen	152	181
Gungahlin	94	229
Inner North	50	159
Inner South	49	108
Tuggeranong	90	133
Woden Weston	44	68
<b>Total</b>	<b>479</b>	<b>878</b>

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**Transport—place manager program  
(Question No 20)**

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 16 December 2016 (*redirected to the Acting Minister for Transport and City Services*):

- (1) Is the ACT Government employing Place Managers as part of the Capital Metro Place Manager Program, announced on 26 June 2015, as at 13 December 2016; if not, on what date were Place Managers no longer employed by the ACT Government.
- (2) If the ACT Government is employing Place Managers as at 13 December 2016, how many people are employed by the Place Manager Program and what is the annual total cost of the program.
- (3) What was the total cost of the Place Manager Program for the period 26 June 2015 to 13 December 2016.

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

- (1) The final Place Manager ceased with the Capital Metro Agency as of COB 22 April 2016. Responsibility for the Place Manager Program is now with Canberra Metro.
- (2) See above.
- (3) The total cost for employment of the two Place Manager positions between the period 26 June 2015 to 22 April 2016 was \$213,248.42.

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**Transport Canberra and City Services Directorate—advertising  
(Question No 21)**

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 16 December 2016 (*redirected to the Acting Minister for Transport and City Services*):

Did the October 2016 notifiable invoices indicate that the Transport Canberra and City Services Directorate had paid \$32 000 to Bull & Bear Special Assignments Pty Ltd for “Other Promotional, Advertising and/or Marketing”; if so, can the Minister detail the exact nature of the services provided for this expense.

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

Yes.

Bull & Bear Special Assignments Pty Ltd was engaged by the Transport Canberra and City Services Directorate to assist with defining the structure of its newly established Customer Engagement team by:

- benchmarking with leading organisations to adopt best practice customer experience; and

- engaging with stakeholders to implement necessary changes to build TCCS' citizen engagement and customer experience capability.

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**ACT Planning and Land Authority—inspectors  
(Question No 22)**

**Mr Coe** asked the Minister for Planning and Land Management, upon notice, on 16 December 2016 (*redirected to the Minister for Regulatory Services*):

- (1) How many inspectors are employed by the Planning and Land Authority to undertake enforcement procedures.
- (2) Is each inspector qualified in a particular skill; if so, can the Minister breakdown the total number of inspectors into skill categories.
- (3) How many inspectors left the Planning and Land Authority in (a) 2015 and (b) 2016 to date by (i) total number and (ii) skill category.
- (4) How long can it take, on average, (a) to book an inspection and (b) for an inspection to occur once an inspection is booked.
- (5) How long can it take, on average, to book an inspection for each skill category.
- (6) Are there any plans to recruit additional inspectors.

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

- (1) Access Canberra currently has 35 inspectors who have operational duties including enforcement procedures which were transferred from the Environment Planning and Development Directorate to Access Canberra in April 2015.
- (2) These inspectors are employed to work in Access Canberra inspectorates and require specific skill-sets and qualifications. The inspectorates can be broken down as follows:
  - Electrical Inspectorate, 14 inspectors with electrical qualifications
  - Plumbing and Gas Inspectorate, 11 inspectors with plumbing and gas qualifications.
  - Construction Audit Team, 10 inspectors with various building trade and building surveying qualifications.

In a number of instances, some officers hold dual or multiple qualifications in various related fields.

- (3) (a) In 2015, 1 Electrical Inspector and 1 Plumbing and Gas Inspector left Access Canberra.
- (b) In 2016, 2 Plumbing and Gas Inspectors, and 1 Construction Audit Inspector left Access Canberra.

- (4) (a) On average, inspection bookings for both the electrical and the plumbing and gas inspectors takes approximately 4 minutes.

Inspections are not booked for the Construction Audit Team. The officers of this team will contact licensees and arrange inspections at a suitable time for all parties.

- (b) Following a booking, an inspection may occur between 2 to 5 days, dependent upon scheduling, to meet industry expectations.

- (5) See response to (4) (a) above.

- (6) No current plans within this financial year.

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### **Planning—Belconnen (Question No 23)**

**Mr Coe** asked the Minister for Planning and Land Management, upon notice, on 16 December 2016:

- (1) When was Development Application (DA) 201630289 for Block 8, Section 48 Belconnen released for public comment.
- (2) When did submissions for the DA 201630289 close.
- (3) How was DA 201630289 publicised so that residents were aware of the proposal and the deadline for submissions.
- (4) Did the Environment, Planning and Sustainable Development Directorate advise local stakeholders of DA 201630289; if so, which organisations were advised of the DA.
- (5) Did any officers from the Environment, Planning and Sustainable Development Directorate attend any meetings of the Belconnen Community Council to brief residents on the proposal.
- (6) How many submissions were received in response to the consultation process.
- (7) When will a decision be made on DA 201630289.
- (8) Will stakeholders be informed of the outcome of DA 201630289.

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

- (1) The development application was publicly notified between 3 and 23 November 2016.
- (2) 23 November 2016.
- (3) Public notification was undertaken in accordance with the statutory requirements for major notification, i.e. on-site sign, notification on EPSDD website, and written notification of adjoining lessees.

- (4) Development applications are publicly notified in accordance with the statutory requirements of the Planning and Development Act 2007, and also referred to relevant entities, utility service providers and agencies.
  - (5) Officers of EPSDD did not attend meetings with the Belconnen Community Council about this development application. It is not the practice of the EPSDD to brief third parties about a development application, unless specifically requested. EPSDD will consider attending meetings upon request, but will only provide process advice (e.g. lodging of representations) at such meetings.
  - (6) No representations were received for this development application.
  - (7) The development application was approved with conditions on 13 December 2016.
  - (8) All stakeholders, i.e. the applicant, Crown lessee, any representors, and entities and relevant utility services are advised of the outcome of development applications.
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### **Energy—hot water systems (Question No 24)**

**Mr Coe** asked the Minister for Planning and Land Management, upon notice, on 16 December 2016:

- (1) Can the Minister list the suburbs where it is mandated that an energy efficient hot water system must be installed in all dwellings.
- (2) What options are available to households where a solar hot water system may not be suitable.
- (3) Are there any avenues of appeal for residents who consider that the systems mandated for their suburb may not be suitable for their use.

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

- (1) There are no mandated regulatory requirements for water heaters or hot water systems specific to individual suburbs.

The National Construction Code (NCC) adopted in the ACT under the *Building Act 2004* and *Water and Sewerage Act 2000* includes standards for the greenhouse intensity of water heaters installed in hot water systems. These standards apply to water heaters in:

- new class 1 buildings (attached and detached housing – not apartments)
- new class 10 buildings (non-habitable buildings such as garages and sheds).
- new parts of existing class 1 and 10 buildings, for example in a new extension, if the water heater is not reinstalled or relocated from another part of the building.

Other than for new building work, there are no requirements for replacement water heaters in existing dwellings to meet the current NCC standards.

The performance standard for water heaters is based on the amount of carbon dioxide equivalent produced in the operation of the water heater, rather than the energy efficiency of the water heater or whole hot water system. There are additional standards for insulating pipework to minimise heat losses from the hot water system that apply to new pipework.

The water heater standard applies to all relevant buildings regardless of where they are located. However, there is an exemption from the water heater standard for solid-fuel burning water heaters in new class 1 buildings located in an area of non-urban land.

- (2) The NCC provides water heater options that are ‘deemed-to-satisfy’ the performance standard. The options include certain solar, heat pump, gas instantaneous, gas storage and wood- or direct-fired water heaters. Each option must meet relevant standards and solar and heat pumps must meet standards for the maximum amount of energy that can be sourced from the public electricity supply to heat water. Electric resistance water heaters with a maximum storage capacity of 50L may also be installed in limited circumstances. The Minister may also determine other suitable water heaters for the standard. None have been declared to date.

The full standard including these options is available free online from [www.abcb.gov.au](http://www.abcb.gov.au).

None of the ‘deemed-to-satisfy’ options or water heaters determined by the Minister is mandatory.

- (3) If any of the ‘deemed-to-satisfy’ or determined options are not considered suitable by the resident, the resident may propose an alternative solution demonstrating that the water heater they would like to install meets the overarching performance standard. The proposed solution must be approved by a building certifier.

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### **Work safety—commissioner (Question No 25)**

**Mr Coe** asked the Minister for Workplace Safety and Industrial Relations, upon notice, on 16 December 2016:

Can the Minister list all the roles and delegations currently held by the ACT Work Safety Commissioner, together with the expiry date, if relevant, for those roles and delegations.

**Ms Stephen-Smith:** The answer to the member’s question is as follows:

Mr Greg Jones, Work Safety Commissioner, holds a number of appointments listed below:

- Director, Construction, Environment and Workplace Protection – Access Canberra (expiry date 18 July 2021);
- Works Safety Commissioner (expiry date 18 July 2021);
- Construction Occupations Registrar (expiry date 28 July 2019);
- Environment Protection Authority (No expiry date);
- Clinical Waste Controller (No expiry date);

- Chief Inspector Scaffolding and Lifts (No expiry date);
- Chief Inspector of Machinery (No expiry date);
- Inspector, *Lakes Act 1976* (No expiry date);
- Authorised Person, *Dangerous Goods (Road Transport) Act 2009* (No expiry date);
- Inspector, *Dangerous Substances Act 2004* (No expiry date);
- Authorised Officer, *Long Service Leave Act 1976* (No expiry date);
- Inspector, *Workers Compensation Act 1951* (No expiry date); and
- Inspector, *Work Health Safety Act 2011* (No expiry date);

The above appointments give Mr Jones a number of powers under various pieces of legislation.

Mr Jones has also been delegated Director-General powers under the following Acts. No expiry date is applicable to these delegations.

- All sections (except section 23) of the *Dangerous Goods (Road Transport) Act 2009*;
- All sections of the *Dangerous Goods (Road Transport) Regulations 2010*;
- All sections of the *Dangerous Substances Act 2004*;
- All sections (except sections 117, 186, 201, and 305) of the *Dangerous Substances (Explosives) Regulation 2004*;
- All sections (except section 431) of the *Dangerous Substances (General) Regulation 2004*;
- All sections *Long Service Leave Act 1976*;
- All sections *Machinery Act 1949*;
- All sections *Workers Compensation Act 1951*;
- All sections (except section 213) *Work Health Safety Act 2011*; and
- All sections *Work Health Safety Regulations 2011*.

By virtue of his Executive position as Director Construction, Environment and Workplace Protection with the ACT Government, Mr Jones also holds Human Resources (HR) and Financial delegations.

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### **ACT Land Development Agency—conflicts of interest (Question No 26)**

**Ms Le Couteur** asked the Minister for Economic Development, upon notice, on 16 December 2016 (*redirected to the Minister for Housing and Suburban Development*):

- (1) What provisions are in place for the Land Development Agency (LDA) Board members to manage conflict of interest issues, particularly for members who have had connections to industry bodies.
- (2) How many times has the LDA relied on informal valuations in order to inform the price that will be paid for acquisitions.

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

- (1) All LDA Board members are required to disclose any potential conflict of interest to the Government when appointed to the Board. A standing declaration of interests is

included in each set of Board papers, which sets out the specific nature of a real or perceived conflict. The Chairman of the Board invites further declarations of conflict of interest at the commencement of each Board meeting as per s. 87 of the *Financial Management Act 1996*.

Consistent with s. 88 of the Act where a material interest is identified, the relevant Board member is not permitted to participate in discussion or decision relating to the matter. Further, the LDA Board has a requirement for identified or potential conflicts of interest whereby the relevant Board member does not receive any Board papers related to the matter.

- (2) I am advised that it would be a considerable task to undertake a calculation such as this. However I can advise that the usual practice when undertaking an acquisition of property from individuals or companies is to seek a valuation from qualified valuers to help inform the process of negotiating the price that is paid by a willing seller and a willing buyer.

In the case of the acquisition of Block 24 Section 65 City known as Glebe Park, the LDA relied on informal advice from a qualified valuer - Colliers International - for the purpose of negotiating the acquisition.

### **Government—commercial leasees (Question No 27)**

**Ms Le Couteur:** Asked the Minister for Economic Development, upon notice, on 16 December 2016 (*redirected to the Minister for Regulatory Services*):

- (1) What monitoring occurs in relation to commercial lessees' adherence to lease purpose clauses.
- (2) How many are pursued for non-compliance to lease purpose clauses.
- (3) What are the reasons for non-compliance to lease purpose clauses.

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

- (1) Access Canberra reviews adherence to lease purpose clauses during compliance audits of:
  - Certificates of Occupancy and Use (COU);
  - breaches of the building and development provisions of the Crown lease;
  - Certificate of Compliance Applications, where the application is assessed against all relevant provisions of the Crown lease; and
  - planning and building complaints.
- (2) For the first quarter of financial year 2016/17 Access Canberra's complaints and investigations areas encountered 49 separate breaches of lease matters. Whilst these related to various types of buildings, the reporting systems are not able to breakdown information to identify the number of commercial leases involved.

(3) The most common reasons for non-compliance are:

- lessees sub-leasing to new tenants;
- new owners unaware of the permitted uses under the Crown lease;
- existing lessees unaware of the permitted uses under the Crown lease;
- older leases (issued prior to the introduction of the Territory Plan in 1990) containing different wording from Territory Plan definitions.

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### **Government—tendering practices (Question No 28)**

**Ms Le Couteur** asked the Minister for Economic Development, upon notice, on 16 December 2016:

- (1) Does the Minister have concerns that collusive tendering practices have taken place in the ACT.
- (2) What steps have been taken by the Land Development Agency to prevent collusive tendering practices.

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

- (1) The ACT has mechanisms in place to help prevent collusive tendering practices. For example, when tenders are received in TendersACT, a procurement officer in Procurement and Capital Works searches the ASIC database to ensure the tenderer is a legal entity, and is not under investigation or been found to have breached relevant legislation.

The Government Procurement Act requires transparency in procurement. As part of the consideration of value for money, tenderers are required to be listed on the TendersACT website and their names are forwarded to UnionsACT, the Environment Protection Authority and Long Service Leave Authority. This process gives those organisations, other companies and members of the public the opportunity to advise the Government of any suspected collusion (or other illegal or unethical behaviour).

Procurement and Capital Works is represented on, or facilitates and advises, tender evaluation teams and similarities in tender responses and prices would be detected readily. Tender evaluation team members are asked to declare any conflicts of interest, including if a conflict or potential/perceived conflict becomes apparent during the evaluation process. A tender evaluation team can be dissolved and the evaluation process recommenced with new member/s if required.

- (2) As a Government entity, the Land Development Agency is required to operate in accordance with the Government Procurement Act, as described above.

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### **Government—land acquisition policy (Question No 29)**

**Ms Le Couteur** asked the Minister for Economic Development, upon notice, on 16 December 2016 (*redirected to the Minister for Housing and Suburban Development*):

- (1) Does the ACT Government have a policy on compulsory acquisitions versus market acquisitions in relation to the activities of the Land Development Agency.
- (2) What is the policy on inclusion of cash earnings not declared to the Australian Taxation Office in business valuations.

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

- (1) The Government does not have a policy on compulsory acquisitions versus market acquisitions in relation to the activities of the Land Development Agency.
- (2) The Government does not have a policy on inclusion of cash earnings not declared to the Australian Taxation Office in business valuations.

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### **Women—Women's Plan (Question No 30)**

**Ms Le Couteur** asked the Minister for Women, upon notice, on 16 December 2016:

- (1) Has the first Action Plan under the *ACT Women's Plan 2016-26* been developed.
- (2) When will it be publicly available.
- (3) What consultation has occurred on the Action Plan and will there be further public consultation on the Action Plan; if so, when will this happen.

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

- (1) The *ACT Women's Plan 2016-26* will have three Action Plans to guide its implementation. The First Action Plan focuses on health and wellbeing and is currently under development.
- (2) The First Action Plan will be released in March 2017 as part of International Women's Day celebrations.
- (3) Considerable public consultation was undertaken to inform the development of the *ACT Women's Plan 2016-26* including a community forum hosted by the Ministerial Advisory Council on Women in May 2014 and an online survey. The survey identified the most commonly listed key issues for respondents were domestic violence, health, equality and safety.

In developing the content for the First Action Plan, the Office for Women has worked with representatives from government directorates through a series of workshops and has consulted a range of stakeholder groups. These include Winnunga Nimmityjah Aboriginal Health Service, Canberra Multicultural Community Forum, Women with Disabilities ACT, Council of the Ageing (COTA), Women's Centre for Health Matters (WCHM), Domestic Violence Crisis Service and Canberra Rape Crisis Centre.

The Ministerial Advisory Council on Women will continue to be consulted as the First Action Plan is being developed.

Given the focus on the Action Plan is women's health and wellbeing, the WCHM is a key partner. The Centre is able to draw from a considerable membership base and surveyed over 600 individual women on health issues between May and July 2016, providing valuable and pertinent feedback and data for the Action Plan.

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**ACTION bus service—airport  
(Question No 31)**

**Ms Le Couteur** asked the Minister for Transport and City Services, upon notice, on 16 December 2016 (*redirected to the Acting Minister for Transport and City Services*):

- (1) Is there no current bus service to the Canberra Airport; if not, why not, considering current bus services go within a few hundred metres of the Canberra Airport.
- (2) When will there be a bus service to the Canberra Airport.

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

- (1) The Canberra International Airport is privately owned and as such, vehicle access to the terminal can only proceed through agreement between the operator (ACT Government) and the Airport management. Currently there is a private operator servicing the Airport Terminal and this must also be considered before introducing a competitive service.
  - (2) The ACT Government has committed to the implementation of Rapid bus services to the Airport by 2020. ACT Government officials are presently in discussions with the Canberra Airport in relation to public transport matters.
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**RSPCA—funding  
(Question No 32)**

**Ms Le Couteur** asked the Minister for Transport and City Services, upon notice, on 16 December 2016 (*redirected to the Acting Minister for Transport and City Services*):

- (1) What are the terms and conditions of the current funding agreement between the ACT Government and the RSPCA.
- (2) Is there specific funding for caring for wildlife.
- (3) What access do vets and carers have to animal euthanasia drugs, particularly in relation to wildlife, and what training is required to administer them.

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

- (1) The service funding agreement (SFA) between the ACT Government and RSPCA ACT provides for a Government contribution of \$744,950 (excluding GST) in the

2016-2017 financial year towards meeting the annual operating costs of the services that RSPCA ACT delivers, including:

- Provision of an appropriately trained inspectorate to enforce the provisions of the *Animal Welfare Act 1992*;
  - Provision of shelter and care for companion animals, including dogs and cats, with a view to returning animals to their owners or re-homing;
  - Accepting and holding injured native wildlife;
  - Managing the euthanasia and disposal of animals received from the public which are declared as a pest animal under the *Pest Plants and Animals Act 2005*.
- (2) Under the SFA between the ACT Government and RSPCA ACT, an amount of \$10,000 is nominally allocated towards costs incurred by RSPCA ACT in accepting and holding up to 400 injured native animals per year.
- (3) RSPCA ACT advises that supplies of the euthanasia drug Pentobarbitone (Lethabarb) are kept secure and are only accessible to senior veterinary staff. RSPCA ACT use of Lethabarb is consistent with the Australian Veterinary Association and ACT Veterinary Surgeon's Board guidelines.

All RSPCA ACT staff participating in euthanasia are provided with the required training including the handling and restraint of various species to avoid creating a stressful situation.

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### **Greyhound racing—Canberra Greyhound Racing Club (Question No 33)**

**Ms Le Couteur** asked the Minister for Regulatory Services, upon notice, on 16 December 2016:

- (1) What are the lease conditions for the land in Symonston leased by the Canberra Greyhound Racing Club.
- (2) When does the current lease expire.
- (3) Is the Minister able to say how many (a) full-time and (b) part-time staff the Canberra Greyhound Racing Club employs.

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

- (1) There are no lease and development conditions or prescribed conditions for this lease. Aside from the rental provisions, it is a standard Crown lease.
  - (2) The current lease expires on 22 November 2027.
  - (3) In January 2017 the Canberra Greyhound Racing Club confirmed that they employ two full-time employees, 20 casuals and several contractors (eg. veterinarians).
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**Greyhound racing—registrations  
(Question No 34)**

**Ms Le Couteur** asked the Minister for Regulatory Services, upon notice, on 16 December 2016:

- (1) How many greyhounds are currently registered in the ACT for racing.
- (2) How many ACT registered greyhounds have raced in the ACT in the past 12 months.
- (3) How many greyhound breeders and trainers are currently registered in the ACT.

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

- (1) 65 greyhounds are currently registered in the ACT for racing.
- (2) Access Canberra does not hold a record of how many ACT registered greyhounds have raced in the ACT in the past 12 months.
- (3) There are currently 59 greyhound trainers and 96 owners registered in the ACT. The Transport Canberra and City Services Directorate database is not able to extract breed-specific information to determine the number of greyhound owners who have registered as breeders at this time.

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**Seniors—elder abuse  
(Question No 35)**

**Ms Le Couteur** asked the Minister for Veterans and Seniors, upon notice, on 16 December 2016 (*redirected to the Acting Minister for Veterans and Seniors*):

- (1) How many calls were received by the Abuse Prevention and Referral Information Line in 2015-16.
- (2) What training do the workers who answer that line receive.
- (3) What strategies and awareness programs have been developed by the Elder Abuse Prevention Working Group.

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

- (1) 89 calls were received by the Abuse Prevention and Referral Information Line (APRIL) in 2015-16.
- (2) New staff members have completed the *ACT Elder Abuse Prevention - Dealing with Abuse of Clients and their Carers - Training Kit*.

The training kit provides information and educational resources to support staff when responding to situations of elder abuse.

Staff have also attended the Accidental Counselling Course.

- (3) The Elder Abuse Prevention Working Group attended shopping centres to raise awareness and provide educational material on elder abuse.

The Working Group suggested a targeted community education awareness campaign would be more effective and as a result and to coincide with World Elder Abuse Awareness Day 2016, two elder abuse television commercials focusing on financial elder abuse ran from 12 - 19 June 2016 during prime time.

The ACT Government has also funded ACT Disability, Aged and Carer Advocacy Service (ADACAS) and the Council on the Ageing ACT (COTA ACT) to develop a new training package to raise awareness of elder abuse and how to prevent and respond to elder abuse.

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### **Seniors—health roundtable (Question No 36)**

**Ms Le Couteur** asked the Minister for Veterans and Seniors, upon notice, on 16 December 2016 (*redirected to the Acting Minister for Veterans and Seniors*):

- (1) Has there been a report produced on the outcomes and any recommendations arising from the Seniors Health Roundtable held in May 2016.
- (2) Will there be a formal government response to the roundtable.

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

- (1) Yes, a report is being finalised on the outcomes and recommendations from the Seniors Health Roundtable held in May 2016.
- (2) Yes, there will be a ACT Government response to the Senior Health Roundtable report, including responding to the recommendations outlined in the report.

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### **Children and young people—placement (Question No 37)**

**Ms Le Couteur** asked the Minister for Disability, Children and Youth, upon notice, on 16 December 2016:

- (1) How many permanent care placements were there in the ACT for 2014-15 to 2015-16, broken down into international and local placements.
- (2) Is this an increase from previous years; if so, why.
- (3) How many of children were placed in permanent care or adoption placements where the birth parents had a disability.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- (1) Children and young people with permanent care order finalised (Enduring Parental Responsibility or adoption).

Year	Local	Intercountry	TOTAL
2015-16	26	0	26
2014-15	19	2	21

- (2) The number of permanent care placements varies from year to year. This is due to a number of factors including the number of foster or kinship carers who decide to consider a permanent placement and the number of suitable permanency placements identified.
- (3) Child and Youth Protection Services (CYPS), within the Community Services Directorate, does not hold reliable data regarding the number of parents involved in the ACT child protection system with disability. Any information of this nature that CYPS collects is voluntary and self-reported and therefore limited. As the new Client Management System is built CYPS will explore methodology to monitor the experience of parents with disabilities in the child protection system.

Under the ACT Government's Out of Home Care Strategy, *A Step Up for Our Kids*, new services have been implemented to support parents with children in care, or with children at risk of entering care, including parents with a disability.

Since December 2015, the Australian Red Cross has been delivering the Birth Family Advocacy Support Service. This service provides independent information and support to parents with children in care, or with children at risk of entering care. It aims to empower parents to effectively, and in an informed way, understand and participate in child protection processes.

From January 2016, Uniting began delivering a range of new services to vulnerable families in the ACT community through the Strengthening High Risk Families domain under *A Step Up for Our Kids*.

Uniting's Child and Families ACT program delivers services that are focussed on providing supports within families to prevent children from coming into care, or returning them home as soon as it is safe to do so.

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### **Children and young people—disabled parents (Question No 38)**

**Ms Le Couteur** asked the Minister for Disability, Children and Youth, upon notice, on 16 December 2016:

- (1) How many children in the care of Child and Youth Protection Services (CYPS) have one or more parent with a disability.
- (2) On what grounds have children under CYPS who have one or more parent with a disability been removed from their birth parents' care.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- (1) Child and Youth Protection Services (CYPS) does not hold reliable data regarding the number of parents involved in the ACT child protection system with disability. Any information of this nature that CYPS collects is voluntary and self reported and

therefore limited. As the new Client Management System is built CYPS will explore methodology to monitor the experience of parents with disabilities in the child protection system.

- (2) Children are taken into care when they have experienced serious abuse and/or neglect and there is no one with parental responsibility both willing and able to protect the child. CYPS seeks to have children cared for by their wider family and engages with the birth family to safely restore children as a first option.

Where parents with disability are the subject of investigations and case management interventions, CYPS seeks to ensure appropriate supports are in place for reasonable adjustments to be made to ensure children are safe at home. The removal of children from their families is the action of last resort taken when children and young people are considered at immediate risk of abuse or neglect.

When CYPS takes a decision to take children into care, evidence supporting this decision must be presented to the Children's Court. The Children's Court Magistrate is the decision maker about whether children are returned home or remain in care.

Under the ACT Government's Out of Home Care Strategy, *A Step Up for Our Kids*, new services have been implemented to support parents with children in care, or with children at risk of entering care, including parents with a disability.

Since December 2015, the Australian Red Cross has been delivering the Birth Family Advocacy Support Service. This service provides independent information and support to parents with children in care, or with children at risk of entering care. It aims to empower parents to effectively, and in an informed way, understand and participate in child protection processes.

From January 2016, Uniting began delivering a range of new services to vulnerable families in the ACT community through the Strengthening High Risk Families domain under *A Step Up for Our Kids*.

Uniting's Child and Families ACT program delivers services that are focussed on providing supports within families to prevent children from coming into care, or returning them home as soon as it is safe to do so.

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### **Budget—public servants (Question No 39)**

**Mr Coe** asked the Chief Minister, upon notice, on 16 December 2016 (*redirected to the Treasurer*):

- (1) What has been the total number of ACT Government employees, broken down by month, from January 2007 to December 2016.
- (2) Given the importance of ACT-based Commonwealth public servants to the ACT economy, are actual or estimated ACT-based Commonwealth public servant numbers part of the analysis conducted in preparing the ACT Budget; if so, what are the actual or estimated numbers of ACT-based Commonwealth public servants from 2007 to 2016 used in preparing the ACT Budget.

- (3) If actual or estimated ACT-based Commonwealth public servant numbers are not part of the analysis conducted in preparing the ACT Budget, what other information has been used to inform budget analysis of the effect of actual or forecast changes in ACT-based Commonwealth public service numbers.

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

- (1) The table below shows the total number of ACT Government employees paid through ACT Shared Services.

**Table 1: ACT Government employees, Headcount by Month & Year (a)**

Headcount	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
January	15,284	15,430	16,432	17,354	17,674	18,838	19,142	20,061	20,725	21,139
February	15,931	16,508	17,477	18,185	18,561	19,992	20,270	20,912	21,514	21,589
March	16,744	17,291	18,275	19,145	19,383	20,305	20,806	21,379	21,795	22,563
April	16,864	17,173	18,212	18,911	19,523	20,244	20,830	21,721	21,879	22,376
May	16,982	17,470	18,586	19,029	19,593	20,792	20,924	21,503	21,815	22,158
June	16,957	17,565	18,679	19,139	19,709	20,397	21,053	21,565	21,870	22,194
July	16,438	17,288	18,350	18,598	19,455	20,196	20,377	20,748	21,081	21,657
August	16,770	17,625	18,718	19,029	19,730	20,381	21,193	21,523	21,863	22,115
September	16,911	17,859	19,033	19,186	19,880	20,469	21,214	21,694	21,920	22,289
October	16,783	18,332	18,799	18,910	19,228	19,889	20,602	21,042	21,619	21,921
November	17,140	18,021	19,169	19,282	20,063	20,535	21,281	22,152	21,972	22,564
December	17,018	18,070	18,955	19,660	19,962	20,555	21,208	21,440	21,564	22,737

(a) Excludes any entity that is not paid through ACT Shared Services, such as the Cultural Facilities Corporation; Calvary Public Hospital; Legal Aid Office, ACT; Legislative Assembly Member's staff. Also excludes the ACT Executive (Ministers and their advisors) and Board Members.

- (2) The number of ACT-based Commonwealth public servants is one of a suite of indicators used to quality assure forecasts of economic activity (as measured by State Final Demand) and economic growth (as measured by Gross State Product) included in ACT budgets. Future policy settings of the Commonwealth Government, including those around the Australian Public Service (APS), have been noted as a risk to the ACT's economic outlook in the past few ACT budgets.

The table below shows the total number of APS jobs from 30 June 2007 to 30 June 2016. The 2016-17 ACT Budget provided an estimate of the total number of APS job losses in the Territory from June 2012 to 2019-20.

**Table 2: Australian Public Service jobs – ACT and Australia, June 2007 to June 2016**

	ACT			Total - Australia		
	Ongoing	Non-ongoing	Total	Ongoing	Non-ongoing	Total
30 Jun 2007	50,959	5,110	56,069	143,534	11,553	155,087
31 Dec 2007	52,369	5,034	57,403	146,809	11,989	158,798
30 Jun 2008	53,496	4,628	58,124	147,364	11,929	159,293
31 Dec 2008	53,844	4,317	58,161	147,467	10,904	158,371
30 Jun 2009	55,447	4,345	59,792	149,818	11,452	161,270
31 Dec 2009	55,729	4,258	59,987	149,650	11,432	161,082
30 Jun 2010	57,115	4,835	61,950	150,428	13,356	163,784
31 Dec 2010	57,413	4,398	61,811	150,817	12,006	162,823
30 Jun 2011	58,971	4,815	63,786	152,720	12,749	165,469
31 Dec 2011	60,135	4,675	64,810	153,194	13,388	166,582
30 Jun 2012	61,968	4,417	66,385	153,466	13,864	167,330
31 Dec 2012	61,432	3,703	65,135	151,334	13,120	164,454

	ACT			Total - Australia		
	Ongoing	Non-ongoing	Total	Ongoing	Non-ongoing	Total
30 Jun 2013	60,403	3,910	64,313	151,393	14,746	166,139
31 Dec 2013	59,406	3,181	62,587	149,207	13,367	162,574
30 Jun 2014	57,729	2,798	60,527	144,895	13,027	157,922
31 Dec 2014	55,149	3,253	58,402	138,582	12,752	151,334
30 Jun 2015	54,149	3,893	58,042	136,524	15,729	152,253
31 Dec 2015	53,567	3,902	57,469	135,600	16,132	151,732
30 Jun 2016	53,733	4,188	57,921	137,848	17,923	155,771
Change:						
Jun 2012 to Dec 2015	-8,401	-515	-8,916	-17,866	2,268	-15,598

Source: Australian Public Service Commission, *APS Employment database*

(3) Refer Question 2.

### **ACTION bus service—staffing (Question No 40)**

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 16 December 2016 (*redirected to the Acting Minister for Transport and City Services*):

- (1) What is the number of staff employed under the ACTION Enterprise Agreement 2013-2017, as at 15 December 2016.
- (2) In relation to the staff identified in part (1), what is the number of staff employed by ACTION on a continuous basis for the time frames of (a) 1 day to 1 year and 364 days, (b) 2 years to 4 years and 364 days, (c) 5 years to 9 years and 364 days, (d) 10 years to 14 years and 364 days, (e) 15 years to 19 years and 364 days, (f) 20 years to 24 years and 364 days, (g) 25 years to 29 years and 364 days, (h) 30 years to 34 years and 364 days, (i) 35 years to 39 years and 364 days, (j) 40 years to 44 years and 364 days, (k) 45 years to 49 years and 364 days and (l) 50 years or over.
- (3) In relation to the staff identified in part (1), what is the number of staff broken down by the grades of (a) Administrative Services Officer Class, (b) Senior Officer, (c) General Services Officer, (d) Technical Officer, (e) Senior Officer (Technical), (f) ACTION Transport Officer, (g) Bus Operator (Training), (h) Bus Operator, (i) APS Store Staff, (j) GSO Workshop Staff, (k) Workshop Staff (TO), (l) Workshop Apprentice, (m) Special Needs Service, (n) GSO Stores Staff, (o) Graduate Administrative Assistant.
- (4) What is the number of staff employed by pay point listed from pages 200 to 210 of the ACTION Enterprise Agreement 2013-2017, for each of the grades listed in part (3).

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

- (1) As at 14 December 2016, 933 staff were employed under the ACTION Enterprise Agreement.
- (2) As at 14 December 2016 timeframes of continuous service for ACTION staff employed under the ACTION Enterprise Agreement is as follows:

<b>Age Range</b>	<b>Headcount</b>
<2 yrs	149
2 - <5 yrs	181
5 - < 10 yrs	258
10 - <15 yrs	147
15 - <20 yrs	69
20 - <25 yrs	14
25 - <30 yrs	54
30 - <35 yrs	38
35 - <40 yrs	11
40 - <45 yrs	12
45 - <50 yrs	0
over 50 yrs	0
<b>Grand Total</b>	<b>933</b>

(3) Staff classifications as at 14 December 2016 were:

<b>Classification Groups</b>	<b>Headcount</b>
Admin Officer	3
APS Store Staff	2
Bus Operator	671
Bus Operator Training	45
Workshop apprentice	10
General Services Officer	107
Special Needs Service	38
Technical Officer	7
ACTION Transport Officer	46
Senior Officer (Technical)	3
Senior Officer	1
<b>Grand Total</b>	<b>933</b>

(4) Staff pay points as at 14 December 2016 were:

<b>Classification</b>	<b>Description</b>	<b>Headcount</b>
ASO21	Administrative Services Officer Grade 2	1
ASO25	Administrative Services Officer Grade 2	1
ASO61	Administrative Services Officer Grade 6	1
EASO53	Administrative Services Officer Grade 5	2
BGSO72	Bus Operator	1
BGSO74	Bus Operator	2
BO	Bus Operator	668
BOT	Bus Operator Trainee	45
EAPY11	Workshop Apprentice	1
EAPY2	Workshop Apprentice	4
EAPY3	Workshop Apprentice	2
EAPY4	Workshop Apprentice	3
GSO2B1	General Services Officer Level 2	6
GSO2B4	General Services Officer Level 2	12
EGSO41	General Services Officer Level 4	2
EGSO42	General Services Officer Level 4	20

<b>Classification</b>	<b>Description</b>	<b>Headcount</b>
EGSO44	General Services Officer Level 4	4
EGSW42	General Services Officer Level 4	2
EGSW43	General Services Officer Level 4	1
EGSW44	General Services Officer Level 4	1
GSO41	General Services Officer Level 4	1
EGSO54	General Services Officer Level 5	2
EGSW52	General Services Officer Level 5	2
GSO51	General Services Officer Level 5	7
GSO5B1	General Services Officer Level 5	9
GSO5B2	General Services Officer Level 5	1
GSO5B3	General Services Officer Level 5	2
GSO5B4	General Services Officer Level 5	8
SGSO64	General Services Officer Level 6	4
EGSO97	General Services Officer Level 9	5
SOB.3	Senior Officer Grade B	1
SOCTA1	Senior Officer Grade C	1
SOCTA2	Senior Officer Grade C	1
SOGA	Senior Officer Grade A	1
TGSO62	General Services Officer Level 5/7	1
TGSO63	General Services Officer Level 5/7	1
TGSO64	General Services Officer Level 5/7	8
TGSO71	General Services Officer Level 5/7	1
TGSO72	General Services Officer Level 5/7	3
TGSO73	General Services Officer Level 5/7	4
TGSO74	General Services Officer Level 5/7	34
TGSO84	General Services Officer Level 8	2
TGSW74	General Services Officer Level 5/7	2
TOA36	Technical Officer Grade 3	1
TOA41	Technical Officer Grade 4	1
TOA42	Technical Officer Grade 4	4
TOA45	Technical Officer Grade 4	1
TOG2	Technical Officer Grade 2	13
TOG3	Technical Officer Grade 3	29
TOG4	Technical Officer Grade 4	4
<b>Total Headcount</b>		<b>933</b>

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### **ACT Office for Women—staffing (Question No 41)**

**Mrs Jones** asked the Minister for Women, upon notice, on 16 December 2016:

- (1) How many full-time equivalent (FTE) staff are currently employed at the ACT Office for Women, broken down by (a) full-time, (b) part-time, (c) casual and (d) contracted employees.
- (2) How many FTE staff were employed at the ACT Office for Women, broken down by (a) full time, (b) part time, (c) casual, and (d) contracted employees at (i) 1 January 2014 and (ii) 1 January 2015.

- (3) What is the total budget allocation for the ACT Office for Women across the forward estimates.

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

- (1) The Community Participation Group brings together a number of functions under the one umbrella and includes the functions of Community Recovery, Youth Engagement, Office for Veterans & Seniors, Office for Women, and the Office for Multicultural Affairs.

The Community Participation Group has changed over the last few years based on organisational needs, and has also aligned with a general theme of optimising community participation and community engagement. As outlined during the Budget estimates hearings in 2016 the resources are largely pooled.

Staff in each area of the Community Participation Group work across all program areas on an as needs basis. Therefore staffing allocations are not able to be compared across the years.

There are currently 29.73 staff employed on a Full-Time Equivalent basis within the Community Participation Group.

- (2) As at 1 January 2014, there were a total of 24.58 staff employed on a Full-Time Equivalent basis within the Community Participation Group.

As at 1 January 2015, there were a total of 21.11 staff employed on a Full-Time Equivalent basis within the Community Participation Group.

- (3) In the 2016-17 financial year, Output Class 2 Community Participation received \$28.6 million in government payment for outputs, this is nominally allocated accordingly to functions of Community Recovery, Youth Engagement, Office for Ageing, Office for Women, the Office for Multicultural Affairs and the Office for Aboriginal and Torres Strait Islander Affairs (\$2.60 million).

#### 2016-17 Budget

<b>Output 2</b>					
<b>Community Participation</b>	<b>2013-14 \$m</b>	<b>2014-15 \$m</b>	<b>2015-16 \$m</b>	<b>2016-17 \$m</b>	<b>Comments</b>
<b>Community Development</b>	<b>10.13</b>	<b>11.60</b>	<b>12.10</b>	<b>13.90</b>	Community Development Grants \$ 13.26m Community Sector Reform \$ 0.40m Strengthen Families \$ 0.24m
<b>Community Facilities</b>	<b>5.13</b>	<b>5.20</b>	<b>0.61</b>	<b>-</b>	CSD restructure Trf'd to Corporate structure The budget for the Community Participation Group is not disaggregated as the emphasis is to get the team to work across the various policy and engagement areas to obtain greater effectiveness. Accordingly there is no longer any individual breakdown accordingly there is no individual budget breakdown. CPG budget now collectively covers *Multicultural Affairs / Youth Engagement / Community Building & Recovery + Seniors & Veterans Affairs / Disability / Women / LGBTIQ
Community Recovery*					
Youth Engagement*					
Office for Ageing*					
Office for Women*					
Office For Multicultural Affairs*					
<b>Community Participation Group</b>			<b>6.36</b>	<b>6.90</b>	
Office of ATSIA			2.45	2.60	
Overheads			0.11	5.20	Redistribution of O/Heads due to CSD Restructure

<b>Community Participation</b>	<b>8.11</b>	<b>8.51</b>	<b>8.92</b>	<b>28.60</b>	
<b>Early Intervention + SPEI Exec</b>				<b>24.90</b>	Division transferred from Office for Children Youth & Family Services
<b>Child Development Service</b>				<b>6.00</b>	Division transferred from Therapy ACT
<b>Total</b>	<b>23.37</b>	<b>25.31</b>	<b>21.63</b>	<b>59.50</b>	

### **Emergency services—staffing (Question No 42)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 16 December 2016:

- (1) How many full-time equivalent (FTE) staff are currently employed at ACT Fire and Rescue, broken down within (a) Operations, (b) Policy and (c) Capability Support, sorted by (i) full-time, (ii) part-time, (iii) casual and (iv) contracted employees.
- (2) How many FTE staff were employed at ACT Fire and Rescue, broken down within (a) Operations, (b) Policy, and (c) Capability Support, sorted by (i) full-time, (ii) part-time, (iii) casual and (iv) contracted employees at (A) 1 January 2014 and (B) 1 January 2015.
- (3) What is the total budget allocation for the unit named ACT Fire and Rescue across the forward estimates.

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

ACT Fire & Rescue within the ACT Emergency Services Agency (ESA) comprised the following staff for the requested time periods, noting that numbers fluctuate on any particular date/time, owing to retirements, resignations, long term workers compensation, and leave without pay:

**(1) 31 December 2016**

	<b>Operations</b>	<b>Policy</b>	<b>Capability Support</b>	<b>Total FTE</b>
<b>Full-Time</b>	332.0		2.0	<b>334.0</b>
<b>Part-Time</b>	2.6			<b>2.6</b>
<b>Casual</b>				
<b>Contract</b>		1.0	2.0	<b>3.0</b>
<b>Total FTE</b>	<b>334.6</b>	<b>1.0</b>	<b>4.0</b>	<b>339.6</b>

Note: 12 ACT Fire & Rescue staff commenced reporting to the Director of Risk and Planning in the 2015-16 financial year as part of the Strategic Reform Agenda changes and are included in this table.

The funded establishment for ACT Fire & Rescue has remained unchanged since an additional six firefighters were employed in July 2013.

The Government has committed to recruiting additional firefighters in 2016/17.

**(2A) 1 January 2014**

	<b>Operations</b>	<b>Policy</b>	<b>Capability Support</b>	<b>Total FTE</b>
<b>Full-Time</b>	346.0		3.0	<b>349.0</b>
<b>Part-Time</b>	1.5			<b>1.5</b>
<b>Casual</b>				
<b>Contract</b>		1.0	2.0	<b>3.0</b>
<b>Total FTE</b>	<b>347.5</b>	<b>1.0</b>	<b>5.0</b>	<b>353.5</b>

**(2B) 1 January 2015**

	<b>Operations</b>	<b>Policy</b>	<b>Capability Support</b>	<b>Total FTE</b>
<b>Full-Time</b>	335.0		3.0	<b>338.0</b>
<b>Part-Time</b>	3.5			<b>3.5</b>
<b>Casual</b>				
<b>Contract</b>		1.0	2.0	<b>3.0</b>
<b>Total FTE</b>	<b>338.5</b>	<b>1.0</b>	<b>5.0</b>	<b>344.5</b>

- (3) The total budget allocation for the ESA unit named ACT Fire & Rescue across the forward estimates (from 2017-18 and each forward estimate) has not been determined at this stage. Budget allocation to ESA unit level is performed after the ACT Budget is released each budget year.

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### **ACT Ambulance Service—staffing (Question No 43)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 16 December 2016:

- (1) How many full-time equivalent (FTE) staff are currently employed at ACT Ambulance Service, broken down within (a) Operations, (b) Policy/EO and (c) QSRM, sorted by (i) full-time, (ii) part-time, (iii) casual and (iv) contracted employees.
- (2) How many FTE staff were employed at ACT Ambulance Service, broken down within (a) Operations, (b) Policy/EO and (c) QSRM, sorted by (i) full-time, (ii) part-time, (iii) casual and (iv) contracted employees at (A) 1 January 2014 and (B) 1 January 2015.
- (3) What is the total budget allocation for the unit named ACT Ambulance Service across the forward estimates.

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

ACT Ambulance Service within the ACT Emergency Services Agency (ESA) comprises the following staff for the requested time periods:

**(1) 31 December 2016**

	<b>Operations</b>	<b>Policy/EO</b>	<b>QSRM</b>	<b>Total FTE</b>
<b>Full-Time</b>	210.0	1.0	4.0	<b>215.0</b>
<b>Part-Time</b>	19.5			<b>19.5</b>

	<b>Operations</b>	<b>Policy/EO</b>	<b>QSRM</b>	<b>Total FTE</b>
<b>Casual</b>	0.4			<b>0.4</b>
<b>Contract</b>	1.0			<b>1.0</b>
<b>Total FTE</b>	<b>230.9</b>	<b>1.0</b>	<b>4.0</b>	<b>235.9</b>

**(2A) 1 January 2014**

	<b>Operations</b>	<b>QSRM</b>	<b>Total FTE</b>
<b>Full-Time</b>	203.0	4.0	<b>207.0</b>
<b>Part-Time</b>	13.6		<b>13.6</b>
<b>Casual</b>	0.3		<b>0.3</b>
<b>Contract</b>	2.0		<b>2.0</b>
<b>Total FTE</b>	<b>218.9</b>	<b>4.0</b>	<b>222.9</b>

Note: The business unit named Policy/EO did not exist on 1 January 2014

**(2B) 1 January 2015**

	<b>Operations</b>	<b>QSRM</b>	<b>Total FTE</b>
<b>Full-Time</b>	195.0	4.0	<b>199.0</b>
<b>Part-Time</b>	17.3		<b>17.3</b>
<b>Casual</b>	0.1		<b>0.1</b>
<b>Contract</b>	3.0		<b>3.0</b>
<b>Total FTE</b>	<b>215.4</b>	<b>4.0</b>	<b>219.4</b>

Note: The business unit named Policy/EO did not exist on 1 January 2015

- (3) The total budget allocation for ESA unit named ACT Ambulance Service across the forward estimates (from 2017-18 and each forward estimate) has not been determined at this stage. Budget allocation to ESA unit level is performed after the ACT Budget is released each budget year.

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### **Rural fire services—staffing (Question No 44)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 16 December 2016:

- (1) How many full-time equivalent (FTE) staff are currently employed at ACT Rural Fire Service, broken down within (a) Operations, (b) Policy and (c) SBMP, sorted by (i) full-time, (ii) part-time, (iii) casual and (iv) contracted employees.
- (2) How many FTE staff were employed at ACT Rural Fire Service, broken down within (a) Operations, (b) Policy and (c) SBMP, sorted by (i) full-time, (ii) part-time, (iii) casual and (iv) contracted employees at (A) 1 January 2014 and (B) 1 January 2015.
- (3) What is the total budget allocation for the unit named ACT Rural Fire Service across the forward estimates.

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

ACT Rural Fire Service (RFS) within the ACT Emergency Services Agency (ESA) comprises the following staff for the requested time periods:

**(1) 31 December 2016**

	<b>Operations</b>	<b>Policy</b>	<b>SBMP</b>	<b>Total FTE</b>
<b>Full-Time</b>	8.0	0.5	0.5	<b>9.0</b>
<b>Part-Time</b>	0.9			<b>0.9</b>
<b>Casual</b>				
<b>Contract</b>	5.0			<b>5.0</b>
<b>Total FTE</b>	<b>13.9</b>	<b>0.5</b>	<b>0.5</b>	<b>14.9</b>

Note: The Full Time FTE in Policy & SBMP represents one individual performing both of these functions.

**(2A) 1 January 2014**

	<b>Operations</b>	<b>Total FTE</b>
<b>Full-Time</b>	10.0	<b>10.0</b>
<b>Part-Time</b>	1.6	<b>1.6</b>
<b>Casual</b>		
<b>Contract</b>	1.0	<b>1.0</b>
<b>Total FTE</b>	<b>12.6</b>	<b>12.6</b>

Note: The business units named Policy & SBMP did not exist on 1 January 2014

**(2B) 1 January 2015**

	<b>Operations</b>	<b>Total FTE</b>
<b>Full-Time</b>	9.0	<b>9.0</b>
<b>Part-Time</b>		
<b>Casual</b>		
<b>Contract</b>	3.0	<b>3.0</b>
<b>Total FTE</b>	<b>12.0</b>	<b>12.0</b>

Note: The business units named Policy & SBMP did not exist on 1 January 2015

(3) The total budget allocation for the ESA unit named ACT RFS across the forward estimates (from 2017-18 and each forward estimate) has not been determined at this stage. Budget allocation to ESA unit level is performed after the ACT Budget is released each budget year.

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### **ACT State Emergency Service—staffing (Question No 45)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 16 December 2016:

- (1) How many full-time equivalent (FTE) staff are currently employed at ACT State Emergency Service (SES), broken down by (a) full-time, (b) part-time, (c) casual and (d) contracted employees.

- (2) How many FTE staff were employed at ACT SES, broken down by (a) full-time, (b) part-time, (c) casual and (d) contracted employees at (i) 1 January 2014 and (ii) 1 January 2015.
- (3) What is the total budget allocation for the unit named ACT SES across the forward estimates.

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

ACT SES within the ACT Emergency Services Agency (ESA) comprises the following staff for the requested time periods:

**(1) 31 December 2016**

<b>Full-Time</b>	6.0
<b>Part-Time</b>	
<b>Casual</b>	
<b>Contract</b>	1.0
<b>Total FTE</b>	<b>7.0</b>

**(2i) 1 January 2014**

<b>Full-Time</b>	5.0
<b>Part-Time</b>	0.6
<b>Casual</b>	
<b>Contract</b>	2.0
<b>Total FTE</b>	<b>7.6</b>

**(2ii) 1 January 2015**

<b>Full-Time</b>	3.0
<b>Part-Time</b>	
<b>Casual</b>	
<b>Contract</b>	4.0
<b>Total FTE</b>	<b>7.0</b>

- (3) The total budget allocation for the ESA unit named ACT SES across the forward estimates (from 2017-18 and each forward estimate) has not been determined at this stage. Budget allocation to ESA unit level is performed after the ACT Budget is released each budget year.

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**ACT Emergency Services Agency—staffing  
(Question No 46)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 16 December 2016:

- (1) How many full-time equivalent (FTE) staff are currently employed in the unit of Risk and Planning within the Emergency Services Agency (ESA), broken down within (a)

Operations, (b) CAD/TRN, (c) Community Resilience and (d) ICT, sorted by (i) full-time, (ii) part-time, (iii) casual and (iv) contracted employees.

(2) How many FTE staff were employed in Risk and Planning, broken down within (a) Operations, (b) CAD/TRN, (c) Community Resilience and (d) ICT, sorted by (i) full-time, (ii) part-time, (iii) casual and (iv) contracted employees at (A) 1 January 2014 and (B) 1 January 2015.

(3) What is the total budget allocation for the unit named Risk and Planning within ESA across the forward estimates.

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

Risk and Planning within ESA comprised the following staff for the requested time periods:

**(1) 31 December 2016**

	<b>Operations</b>	<b>CAD/TRN</b>	<b>Community Resilience</b>	<b>Total FTE</b>
<b>Full-Time</b>	6.0	1.0	12.0*	<b>19.0</b>
<b>Part-Time</b>	1.0			<b>1.0</b>
<b>Casual</b>				<b>0.0</b>
<b>Contract</b>	4.7			<b>4.7</b>
<b>Total FTE</b>	<b>11.7</b>	<b>1.0</b>	<b>12.0</b>	<b>24.7</b>

\*Note: 12 ACT Fire & Rescue staff commenced reporting to the Director of Risk and Planning in the 2015-16 financial year as part of the Strategic Reform Agenda changes and are included in this table.

Note: The on-site ICT team is employed by Shared Services, not ESA and is therefore not included in these figures.

**(2A) 1 January 2014**

	<b>Operations</b>	<b>CAD/TRN</b>	<b>Total FTE</b>
<b>Full-Time</b>	8.0	2.0	<b>10.0</b>
<b>Part-Time</b>			<b>0.0</b>
<b>Casual</b>			<b>0.0</b>
<b>Contract</b>			<b>0.0</b>
<b>Total</b>	<b>8.0</b>	<b>2.0</b>	<b>10.0</b>

Note: The business unit named Community Resilience did not exist in January 2014.

Note: The on-site ICT team is employed by Shared Services, not ESA and is therefore not included in these figures.

**(2B) 1 January 2015**

	<b>Operations</b>	<b>CAD/TRN</b>	<b>Total FTE</b>
<b>Full-Time</b>	9.0	2.0	<b>11.0</b>
<b>Part-Time</b>			<b>0.0</b>
<b>Casual</b>			<b>0.0</b>
<b>Contract</b>	1.0		<b>1.0</b>
<b>Total</b>	<b>10.0</b>	<b>2.0</b>	<b>12.0</b>

Note: The business unit named Community Resilience did not exist in January 2014

Note: The on-site ICT team is employed by Shared Services, not ESA and is therefore not included in these figures.

- (3) The total budget allocation for the ESA unit named Risk and Planning across the forward estimates (from 2017-18 and each forward estimate) has not been determined at this stage. Budget allocation to ESA unit level is performed after the ACT Budget is released each budget year.

### **ACT Emergency Services Agency—staffing (Question No 47)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 16 December 2016:

- (1) How many full-time equivalent (FTE) staff are currently employed in the unit of Logistics and Governance within the Emergency Services Agency (ESA), broken down within (a) Fleet and Procurement, (b) Governance, (c) Finance and Business and (d) SURP, sorted by (i) full-time, (ii) part-time, (iii) casual and (iv) contracted employees.
- (2) How many FTE staff were employed in Logistics and Governance, broken down within (a) Fleet and Procurement, (b) Governance, (c) Finance and Business and (d) SURP, sorted by (i) full-time, (ii) part-time, (iii) casual and (iv) contracted employees at (A) 1 January 2014 and (B) 1 January 2015.
- (3) What is the total budget allocation for the unit named Logistics and Governance within ESA across the forward estimates.

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

Logistics and Governance within ESA comprises the following staff for the requested time periods:

**(1) 31 December 2016**

	<b>Fleet &amp; Procurement</b>	<b>Governance</b>	<b>Finance &amp; Business</b>	<b>SURP</b>	<b>Total FTE</b>
<b>Full-Time</b>	20.0	1.0	6.0	3.0	<b>30.0</b>
<b>Part-Time</b>	2.0				<b>2.0</b>
<b>Casual</b>	0.5				<b>0.5</b>
<b>Contract</b>	1.0		1.0		<b>2.0</b>
<b>Total FTE</b>	<b>23.5</b>	<b>1.0</b>	<b>7.0</b>	<b>3.0</b>	<b>34.5</b>

**(2A) 1 January 2014**

The business unit named Logistics and Governance did not exist in January 2014.

**(2B) 1 January 2015**

The business unit named Logistics and Governance did not exist in January 2015.

- (3) The total budget allocation for the ESA unit named Logistics and Governance across the forward estimates (from 2017-18 and each forward estimate) has not been determined at this stage. Budget allocation to ESA unit level is performed after the ACT Budget is released each budget year

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**ACT Emergency Services Agency—staffing  
(Question No 48)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 16 December 2016:

- (1) How many full-time equivalent (FTE) staff are currently employed in the unit of People and Culture within the Emergency Services Agency (ESA), broken down within (a) ESA Training, (b) Education, (c) Training Delivery, (d) Training and Development, (e) Rostering and (f) Human Resources, sorted by (i) full-time, (ii) part-time, (iii) casual and (iv) contracted employees.
- (2) How many FTE staff were employed in People and Culture, broken down within (a) ESA Training, (b) Education, (c) Training Delivery, (d) Training and Development, (e) Rostering and (f) Human Resources, sorted by (i) full-time, (ii) part-time, (iii) casual and (iv) contracted employees at (A) 1 January 2014 and (B) 1 January 2015.
- (3) What is the total budget allocation for the unit of People and Culture within ESA across the forward estimates.

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

- (1) People and Culture within ESA comprises the following staff for the requested time periods:

	<b>ESA Training</b>	<b>HR</b>	<b>Total FTE</b>
<b>Full-Time</b>	2.0		<b>2.0</b>
<b>Part-Time</b>	1.2		<b>1.2</b>
<b>Casual</b>			<b>0.0</b>
<b>Contract</b>	1.0	1.0	<b>2.0</b>
<b>Total FTE</b>	<b>4.2</b>	<b>1.0</b>	<b>5.2</b>

Note: The business units named Education, Training Delivery, T&D and Rostering did not exist under People and Culture on 31 December 2016.

**(2A) 1 January 2014**

The business unit named People and Culture did not exist in January 2014.

**(2B) 1 January 2015**

The business unit named People and Culture did not exist in January 2015.

- (3) The total budget allocation for the ESA unit named People and Culture across the forward estimates (from 2017-18 and each forward estimate) has not been determined

at this stage. Budget allocation to ESA unit level is performed after the ACT Budget is released each budget year.

### **ACT Emergency Services Agency—staffing (Question No 49)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 16 December 2016:

- (1) How many full-time equivalent (FTE) staff are currently employed in the unit of Strategic Reform within the Emergency Services Agency (ESA), broken down by (a) full-time, (b) part-time, (c) casual and (d) contracted employees.
- (2) How many FTE staff were employed in Strategic Reform, broken down by (a) full-time, (b) part-time, (c) casual and (d) contracted employees at (i) 1 January 2014 and (ii) 1 January 2015.
- (3) What is the total budget allocation for the unit of Strategic Reform within ESA across the forward estimates.

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

The Strategic Reform project within ESA comprises the following staff for the requested time periods:

**(1) 31 December 2016**

<b>Full-Time</b>	
<b>Part-Time</b>	
<b>Casual</b>	
<b>Contract</b>	4.0
<b>Total FTE</b>	<b>4.0</b>

- (2) The business unit named Strategic Reform Agenda did not exist on 1 January 2014 or 1 January 2015.
- (3) The total budget allocation for the ESA unit named Strategic Reform Agenda project across the forward estimates (from 2017-18 and each forward estimate) has not been determined at this stage. Budget allocation to ESA unit level is performed after the ACT Budget is released each budget year.

### **ACT Policing—staffing (Question No 50)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 16 December 2016:

- (1) How many full-time equivalent (FTE) staff are currently employed at ACT Policing, broken down within (a) Crime Portfolio, (b) Response Portfolio and (c) Corporate

Services, sorted by (i) full-time, (ii) part-time, (iii) casual and (iv) contracted employees.

- (2) How many FTE staff were employed at ACT Policing, broken down within (a) Crime Portfolio, (b) Response Portfolio and (c) Corporate Services, sorted by (i) full-time, (ii) part-time, (iii) casual and (iv) contracted employees at (A) 1 January 2014 and (B) 1 January 2015.
- (3) How many staff are employed at each of the police stations in the ACT, sorted by (a) full-time, (b) part-time, (c) casual and (d) contracted employees.
- (4) What is the total budget allocation for ACT Policing across the forward estimates.

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

I am advised by ACT Policing that reporting against the first three detailed questions regarding full-time equivalent staffing details at a specific point in time, is impracticable and may not address the Member's question, nor portray an accurate representation of staff numbers in ACT Policing.

This is due to ACT Policing's actual full time equivalent staffing fluctuating and responding to meet community policing challenges significantly throughout the year. Staffing fluctuations and adjustments occur for a number of reasons, such as the commencement of personnel including new police recruits, staffing rotations and the movement of personnel across business areas to respond to operational demands based on priority issues across the ACT.

The most appropriate answer to your questions (1), (2)(A), (2)(B), and (3) would be to refer to the most reliable data reported, in each of the corresponding annual reports:

- The actual FTE as at 30 June 2016 was 968.48 (See page 33 of 2015-16 *Annual report*)  
**ACT Policing 2015-2016 Annual Report**
- The actual FTE as at 30 June 2015 was 932.23 (See page 32 of 2014-15 *Annual report*)  
**ACT Policing 2014-2015 Annual Report**
- The actual FTE as at 30 June 2014 was 974.41 (See page 95 of 2013-14 *Annual report*)  
**ACT Policing 2013-2014 Annual Report**

- (4) The total budget allocation for ACT Policing across the forward estimates (from 2017-18 and each forward estimate) has not been determined at this stage. Budget allocation to ACT Policing is performed after the ACT Budget is released each budget year.

## **Rural fire services—volunteers (Question No 51)**

**Mrs Jones** asked the Minister for Police and Emergency Services, upon notice, on 16 December 2016:

- (1) How many volunteers are currently registered for the ACT Rural Fire Service (ACTRFS).

- (2) How many volunteers currently operate within each of the brigades in the ACTRFS.
- (3) How volunteers are divided into brigades in the ACTRFS.

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

(1) 533

(2)

Guises Creek	63
Gungahlin	82
Hall	92
Jerrabomberra	38
Molonglo	71
Rivers	99
Southern	57
Tidbinbilla	31

- (3) The volunteers choose which Brigade they wish to be a part of. They apply to that Brigade, complete relevant paperwork and undertake a six-month probation period. At the conclusion of the probation period, the Brigade votes as to whether they become a full member.

### **ACT Corrective Services—staffing (Question No 52)**

**Mrs Jones** asked the Minister for Corrections, upon notice, on 16 December 2016:

- (1) How many (a) full-time, (b) part-time, (c) casual and (d) contracted employees are currently employed at ACT Corrective Services.
- (2) How many (a) full-time, (b) part-time, (c) casual, and (d) contracted employees were employed at ACT Corrective Services at (i) 1 January 2014 and (ii) 1 January 2015.
- (3) What is the total budget allocation for ACT Corrective Services across the forward estimates.

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

*Please note to provide the data to this question, the nearest pay period was used to run the reports, therefore the reporting dates are slightly different.*

(1) Current – December 2016

Pay period end date	Employment mode	Headcount	FTE
28/12/2016	Full-time permanent	360	357
28/12/2016	Part-time permanent	9	6
28/12/2016	Casual	11	2
28/12/2016	Contracted full-time temporary	40	38
28/12/2016	Contracted part-time temporary	3	2
Total		423	405

In 2016, there was an increase of 72 FTE from January 2015. The increase is the result of approved budget initiatives between the 2013-14, 2014-15 and 2015-16 periods. This includes staff required for the implementation of the Throughcare Evaluation pilot program, the new case management system, and the introduction of the Intensive Corrections Orders sentencing option. Further, a number of FTE were required for the operation of new accommodation units at AMC and increased support services.

## (2i) January 2014

Pay period end date	Employment mode	Headcount	FTE
01/01/2014	Full-time permanent	279	279
01/01/2014	Part-time permanent	9	7
01/01/2014	Casual	17	8
01/01/2014	Contracted full-time temporary	29	28
01/01/2014	Contracted part-time temporary	4	2
<b>Total</b>		<b>338</b>	<b>324</b>

## (2ii) January 2015

Pay period end date	Employment mode	Headcount	FTE
31/12/2014	Full-time permanent	288	288
31/12/2014	Part-time permanent	8	4
31/12/2014	Casual	14	4
31/12/2014	Contracted full-time temporary	34	34
31/12/2014	Contracted part-time temporary	7	3
<b>Total</b>		<b>351</b>	<b>333</b>

- (3) The total budget allocation for Output Class 2: Corrective Services is shown in the Justice and Community Safety Directorate 2016-17 Budget Statements at page 42. The allocation for Controlled Recurrent Payment (government appropriation) for the 2016-17 Budget and forward year estimates is as follows:

Budget	Estimate	Estimate	Estimate
\$'000	\$'000	\$'000	\$'000
2016-17	2017-18	2018-19	2019-20
64,656	65,954	66,318	67,452

### Alexander Maconochie Centre—costs (Question No 53)

Mrs Jones asked the Minister for Corrections, upon notice, on 16 December 2016:

- (1) What is the cost per detainee, per day at the Alexander Maconochie Centre (AMC).
- (2) What is the overall breakdown of costs per year to run the AMC.
- (3) What is the cost of upgrades to the AMC since its opening in 2008.

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

- (1) As reported in the Justice and Community Safety 2015-2016 Annual Report, page 279, the 2015-2016 average cost per detainee per day for all detainees was \$277 (this figure includes the Periodic Detention Centre in addition to the AMC). Periodic detention is no longer a sentencing option in the ACT.
- (2) In the 2015-16 financial year the operating costs to run the AMC were approximately \$42.1m.

The cost breakdown is as follows:

<b>2015-16 Financial Year</b>	
<b>Category</b>	<b>AMC Operating</b>
Employee Costs	\$26.5m
Supplies, Services and Other Costs	\$9.9m
Depreciation	\$5.7m
<b>Total</b>	<b>\$42.1m</b>

- (3) The cost of capital works including capital ICT and capital upgrade works, at the AMC since its opening in 2008-2009 is approximately \$65.7m.

#### **Alexander Maconochie Centre—capacity (Question No 54)**

**Mrs Jones** asked the Minister for Corrections, upon notice, on 16 December 2016:

- (1) What is the number of (a) one bed cells, (b) two bed cells and (c) three or more bed cells in the Alexander Maconachie Centre (AMC).
- (2) What is the number of detainees currently residing in (a) one bed cells, (b) two bed cells and (c) three or more bed cells at the AMC.
- (3) What is the ratio of guards to prisoners on any given day at the AMC.
- (4) What is the number of industry placements available at the AMC.

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

- (1) There are (a) 135 one bed cells, (b) 202 two bed cells and (c) no three or more bed cells.
- (2) As at 13 January 2017, there are (a) 83 detainees currently residing in single cells, (b) 343 detainees currently residing in two bed cells and (c) not applicable - there are no designated three bed cells at the AMC.
- (3) The AMC is staffed by Corrections Officers across a range of accommodation areas with different cohorts of detainees. The number of Corrections Officers rostered for each area is dependent on multiple factors such as: the security classifications of different cohorts, the visibility of detainees to ensure the provision of adequate supervision, and the health and support needs of detainees. These factors change with the normal variations that are inherent in managing a complex and dynamic

operational environment. As a result, providing a ratio on any given day as an average of the Centre would be misleading.

- (4) As at December 2016 there was an average detainee population of 432 with an average of 192 detainees employed in Service Employment at the AMC.

It is anticipated that additional detainee employment positions will result in the future from the full realisation of the industries expansion project.

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### **Housing—social housing (Question No 55)**

**Mr Parton** asked the Minister for Housing and Suburban Development, upon notice, on 16 December 2016:

- (1) What was the total number, as at 30 June 2016, of (a) social housing properties (including individual units in a multi-dwelling property), in each suburb in Canberra supplied by Housing ACT and or the Community Services Directorate, (b) properties (including individual units in a multi-dwelling property), supplied by registered community service providers in each suburb in Canberra and (c) social and community housing properties in each suburb in Canberra (total of (a) and (b)).
- (2) In relation to repairs and maintenance for social housing, (a) how frequently are social housing properties inspected to assess their condition and their maintenance requirements, (b) what process is followed in relation to repairs and maintenance requirements arising from inspections, (c) how many instances of repair and maintenance jobs each year are related to tenant caused damage or vandalism and (d) what repairs and maintenance items are tenants responsible for and how are these enforced.
- (3) In relation to the number of requests for repairs and maintenance from social housing tenants, what is the (a) total number of outstanding requests by tenants for repairs and maintenance, (b) number of tasks covered by each request, (c) the number of tenant requests outstanding for (i) 1 month or less, (ii) 1-3 months, (iii) 3-6 months, (iv) 6-8 months, (v) 8-12 months and (vi) outstanding for 12 months and greater.
- (4) How many housing managers are employed to manage the social housing stock.
- (5) How many properties and multi-dwelling units does each housing manager have.
- (6) Of those currently occupying social housing, what are the number of (a) couples with children, (b) single parents (by gender) and (c) single persons (by gender).
- (7) Of those currently occupying housing supplied by registered community service providers, what are the number of (a) couples with children, (b) single parents (by gender) and (c) single persons (by gender).
- (8) What percentage of social housing tenants are paying full market rent.
- (9) What options are available to neighbours who are experiencing difficulty with social housing tenants.

- (10) What proportion of social housing properties are occupied by indigenous Australians.
- (11) In relation to social housing properties (excluding those procured or supplied by community service providers) for the years (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) 2016-17 to date, what were the number of tenants evicted each year and the reasons for those evictions.
- (12) In relation to properties procured or supplied by registered community housing providers for the years (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) 2016-17 to date, what were the number of tenants evicted each year and the reasons for those evictions.

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

- (1) The total number of public housing properties, at 30 June 2016 is at **Attachment A**. Responses have not been provided for parts b) and c) as the data for the community housing sector is not available.
- (2) Public housing properties are:
- (a) inspected to assess their condition over a 5 year rolling program,
  - (b) The condition of all major property attributes are assessed as part of the condition audits and the information on the state of repair of the property attributes forms the basis for the annual maintenance requirements,
  - (c) The number of repair and maintenance jobs each year that are related to tenant caused damage or vandalism is set out in the table below:

<b>Tenant Responsible Maintenance Works</b>	<b>2012-13 No.</b>	<b>2013-14 No.</b>	<b>2014-15 No.</b>	<b>2015-16 No.</b>
Number of properties where tenant responsible works have been undertaken	2,754	3,164	2,955	3,394

- (d) Pursuant to the tenancy agreement, tenants are responsible for all costs for cleaning, damage and other items of repairs and maintenance above fair, wear and tear. The assessment of what items of repairs and maintenance constitute tenant responsible maintenance is initially determined by Spotless who is the Total Facilities Manager for the public housing portfolio. The tenant responsible maintenance costs are further reviewed by Housing ACT staff to adjust the tenant responsible maintenance charges for specific tenant issues, including the length of the tenancy, the tenancy household and any other specific issues that should be considered in whether to charge the tenant for the costs, such as domestic and family violence, break-ins and damage by external unknown parties. Once the tenant responsible maintenance charges are levied to a tenant's account, appropriate actions commence to recover the debt.
- (3) The total outstanding requests for repairs and maintenance by tenants for 2016-17 is set out in the table below:

<b>Outstanding requests for maintenance works</b>	<b>Less than 1 month No.</b>	<b>1 - 3 months No.</b>	<b>3 - 6 months No.</b>	<b>6 - 8 months No.</b>	<b>8 - 12 months No.</b>	<b>Greater than 12 months No.</b>
Number of outstanding maintenance requests	1,190	322	34	-	-	-
Number of tasks covered by all requests for maintenance	1,993	530	47	-	-	-

- (4) There are 54 housing managers. These housing managers are responsible for directly managing public housing tenancies. The number does not include Team Leaders, Client Support Officers, Tenant Support Officers or Managers.
- (5) Tenancy management is delivered in three difference service streams that provide for higher levels of supports and assistance to those in greater need. Tenants newly allocated to public housing are assigned to an Intake housing manager, established tenants are allocated to mainstream housing managers and tenants needing higher levels of assistance and support are allocated to the Intensive housing managers.
- Intake housing managers manage approximately 90 tenancies each;
  - Mainstream housing managers manage approximately 265 tenancies each; and
  - Intensive housing managers manage approximately 50 tenancies each
- (6) The number of tenants in the following cohorts is:
- (a) couples with children - 988,
  - (b) single parents - (male) - 358, and for female single parents - 2,057; and
  - (c) single persons - (male) - 2,300 and single female tenants - 2,936.
- (7) Data derived from the National Community Housing Data Collection for 2015-16 shows the number of tenants in housing supplied by registered community service providers in the following cohorts is:
- (a) couples with children - 10,
  - (b) single parents – 12 (There is disaggregation between males and females available); and
  - (c) single persons - male 378, and for females - 186.
- (8) The percentage of public housing tenants paying market rent and not in receipt of a rental rebate is 5.2%.
- (9) Neighbours experiencing difficulty with public housing tenants are encouraged to document their concerns and lodge a complaint through the Housing ACT Complaints and Information Unit. These complaints are investigated to ascertain whether there has been a breach of the Residential Tenancies Act 1997. Housing ACT responds to each complainant advising them of the complaints handling process and the possible actions that are open to them in respect of their complaint, including undertaking mediation or more formal legal actions through the ACT Civil and Administrative Tribunal. In cases where the incident is criminal in nature neighbours are encouraged to contact ACT Policing.

(10) The proportion of social housing properties occupied by Aboriginal and Torres Strait Islander families is 8.5%.

(11) The number of public housing tenants evicted in each of the following years is:

Reason for Eviction	2012-13	2013-14	2014-15	2015-16	2016-17 to 31 December 2016
	No.	No.	No.	No.	No.
Breach of tenancy	2	4	5	7	7
Non-payment of rent (rental arrears)	19	28	24	17	4
<b>Total</b>	<b>21</b>	<b>32</b>	<b>29</b>	<b>24</b>	<b>11</b>

(12) No data is available for eviction of tenants in community housing.

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

### **Greyhound racing—regulation compliance (Question No 56)**

**Mr Parton** asked the Minister for Regulatory Services, upon notice, on 16 December 2016:

- (1) What evidence has been provided to Government that breaches of the Animal Welfare (Greyhound Welfare Code of Practice) Approval 1995 have occurred in the ACT.
- (2) What evidence has been provided to Government that breaches of the Racing Act 1999 have occurred in the ACT by the Canberra Greyhound Racing Club.

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

- (1) The Animal Welfare Unit within the Transport Canberra and City Services Directorate has no record of prosecutions for offences under the *Animal Welfare (Greyhound Welfare Code of Practice) Approval 1995* Instrument relating to racing greyhounds in the ACT.
- (2) There are no recorded breaches of the Racing Act 1999 against the Canberra Greyhound Racing Club.

### **Children and young people—residential care homes (Question No 57)**

**Mrs Kikkert** asked the Minister for Disability, Children and Youth, upon notice, on 16 December 2016:

- (1) What is the process by which residential care homes for children and youth in the ACT are inspected, specifically are residential care homes in the ACT inspected in any way outside of visits by official visitors; if so, whom.

- (2) What are the specific areas of concern that official visitors are responsible to inspect, if any, outside of any complaints from entitled persons (residents).
- (3) If visit guidelines such as inspection checklists are used, can the Minister provide a copy of these guidelines; if visit guidelines are not used, why not.
- (4) Who trains the official visitors in their responsibility to inspect.
- (5) Are residential care homes notified in advance that inspections are going to occur or when inspections will occur; if so, how far ahead of time is notification given, and what are the official reasons for giving advance notification.
- (6) If residential care homes are not notified in advance that inspections are going to occur or when inspections occur, is the schedule of inspections regular enough that staff in residential care homes could predict the occurrence of an inspection with reasonable accuracy.
- (7) Do official visitors solicit input from staff at residential care homes; if so, what, if any, safeguards are in place to guarantee that staff at residential care homes are able to openly share concerns with official visitors free of any possible recriminations from their employer.
- (8) Do official visitors seek input from entitled persons even if they (the residents) have not registered any complaints.
- (9) Why does the Official Visitor (Children and Young People) Annual Report 2015–16 state that official visitors visit each residential care home monthly, but the same report indicates that official visitors visited 14 approved residential places of care on 97 occasions from October 2015 through June 2016, which is an average of fewer than seven visits per residential care home over the course of the nine-month period.
- (10) What are the current staff-to-resident ratios in the Territory's residential care homes.
- (11) Are the ratios referred to in part (10) mandated.
- (12) Is there a requirement for a minimum number of staff to be present in each residential care home, including overnight.
- (13) Do shortages of available staff ever interfere with mandated/desired ratios or minimum staffing guidelines; if so, how frequent is this problem.
- (14) What arrangements are in place for the supervision and support of general staff in residential care homes.
- (15) What are the minimum training requirements for (a) general staff and (b) supervising staff.
- (16) What is the rate of staff turnover in the Territory's residential care homes.
- (17) Is the Minister able to say whether the operation of residential care homes in the ACT generates profit for Premier Youthworks.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- (1) All residential care properties are inspected regularly by ACT Together and six monthly by Child and Youth Protection Services for compliance with Out of Home Care Standards. If a new residential care property is required, Child and Youth Protection Services staff will inspect the property for compliance with the Out of Home Care Standards prior to young people residing there. All young people are frequently visited by their case worker. These visits frequently occur in the place of residence.

Official Visitors also play a vital role in safeguarding and promoting the interest of vulnerable people in our community. The Official Visitors seek to identify, monitor and resolve service issues. Official Visitors are mandated to visit residential care properties at least monthly.

- (2) Official Visitors are appointed by the ACT Attorney-General to provide a monitoring and complaints system for people who are dependent on a service provider to support them, including children and young people in care. All residential care placements are now classed as visitable as per Section 525 of the *Children and Young People Act 2008*. Official Visitors may upon request inspect the register of searches, use of force and segregation at Bimberi Youth Justice Centre and Therapeutic Protection Plans and Therapeutic Plan Registers.

- (3) No formal checklists are used by the Official Visitors as they are appointed to provide monitoring and complaints avenues for children and young people in care.

Child and Youth Protection Services utilise a checklist when inspecting residential care properties. The checklist is provided at **Attachment A**.

- (4) The position of Official Visitor is administered by the Office of the ACT Public Trustee. The training of the Official Visitors is managed and delivered annually through the Office of the ACT Public Trustee.
- (5) Child and Youth Protection Services provide residential care properties with notice of inspections prior to attending to inspect the property. This generally occurs two months prior to the inspection occurring.
- (6) This is not applicable as the residential care properties are aware of the inspections occurring in accordance with the Service Funding Agreement.
- (7) When Official Visitors meet with entitled persons they also have discussions with the staff on shift at the time. Official Visitors make staff comfortable with sharing information and ACT Together is bound by industrial relations regulations that protect staff from unreasonable management responses.
- (8) The Official Visitors visit children and young people at visitable places on a monthly basis even when the entitled persons have not registered any complaints. The Official Visitors seek to engage with each child and young person at this time.
- (9) Although there are 14 approved residential care places the Official Visitors only visit the residential care properties when they are occupied. Over the course of 2015-16, some visitable places were vacant or occupants not available at the time of the visit therefore the Official Visitors did not visit these residential care properties.

- (10) Staffing of residential care properties is undertaken on a risk and needs basis. For example, young people who are considered at risk of self harm may require stand up staffing during the night and double staffing during the day. However, when a young person attends school during the day, there may not be staffing at the house when the young person is not present.

As staffing is on a needs basis determined by presenting risks and needs of the young person, there are no fixed staffing ratios.

- (11) There are no mandated staffing ratios.
- (12) The Service Funding Agreement stipulates that the residential care properties be staffed in a 24 hour capacity to meet the care needs of children and young people. As noted in part (10), staffing for each residential care property is based upon client risks and needs.
- (13) Although workforce capacity is a challenge across the sector, there are no reports of staffing levels affecting the provision of appropriate supervision of children and young people.
- (14) Residential care properties are staffed by a team of permanent full-time residential care workers and are supported by a pool of trained casual residential care workers. The residential care workers are supervised by a Residential Team Manager who is based primarily in the house. Support and coaching is provided directly to residential care workers while on shift and in addition receive regular supervision. In addition to this, residential care workers have access to after-hours support and an Employee Assistance Program.
- (15) ACT Together is contractually obliged to employ suitably qualified/experienced residential case managers and care workers with a minimum tertiary qualification in a related field such as community services or youth work. Under A Step Up for Our Kids, training is being delivered to staff in residential care providing them with the skills and knowledge in trauma informed care for children and young people in residential care.

This training aims to provide staff with the tools and knowledge to understand the impacts of trauma on children and young people in their care. The ACT Together consortium is led by Barnardos, in partnership with the Australian Childhood Foundation, OzChild, Premier Youthworks and Relationships Australia and therefore has considerable expertise in trauma informed care responses.

- (16) The only residential care facility operated by the Territory is Narrabundah House Indigenous Supported Residential Facility which had turnover of seven percent in the 2015-16 financial year.

As stated in part (14), ACT Together residential care properties are staffed by a team of permanent full-time residential care workers, supported by trained casual residential care workers. The permanent workforce is relatively stable with turnover largely occurring amongst casual staff. Turnover rate for 2015-16 financial year was 16 percent for permanent residential care workers and 32 percent for casual staff. The turnover rate over the last 12 months has been affected by the move to a continuum of care with many workers moving to other roles in the care continuum.

- (17) The ACT Government contracts Barnados as the lead agency in the ACT Together consortia to provide the Continuum of Care domain. Barnados subcontracts to Premier Youthworks aspects of the Continuum of Care including residential care. The ACT Government pays Barnados a flat fee per child for the provision of appropriate care to meet each child's presenting needs. Therefore there is no specific fee for young people in the residential care component of the continuum of care. The ACT Government does not directly pay Premier Youthworks. Premier Youthworks is a private company and any request for information regarding its profit and loss should be directed to Premier Youthworks.

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

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### **Children and young people—adoptions (Question No 58)**

**Mrs Kikkert** asked the Minister for Disability, Children and Youth, upon notice, on 16 December 2016:

- (1) How many domestic adoptions were finalised in the ACT in (a) 2009-10, (b) 2010-11, (c) 2011-12, (d) 2012-13, (e) 2013-14, (f) 2014-15, (g) 2015-16.
- (2) How many of the domestic adoptions referred to in part (1) were to kin.
- (3) How many intercountry adoptions were finalised in the ACT in (a) 2009-10, (b) 2010-11, (c) 2011-12, (d) 2012-13, (e) 2013-14, (f) 2014-15, (g) 2015-16.
- (4) How many children were started on an adoption process in the ACT in each that were uncompleted or did not eventuate in (a) 2009-10, (b) 2010-11, (c) 2011-12, (d) 2012-13, (e) 2013-14, (f) 2014-15, (g) 2015-16.
- (5) How many enquiries did the ACT Government receive in 2015-16 expressing interest in adopting a child.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- (1)
  - (a) 2009-10: Local – 2; Known - 8
  - (b) 2010-11: Local – 1; Known - 3
  - (c) 2011-12: Local – 1; Known - 4
  - (d) 2012-13: Local – 0; Known - 2
  - (e) 2013-14: Local – 1; Known - 6
  - (f) 2014-15: Local – 0; Known - 7
  - (g) 2015-16: Local – 2; Known – 2

*Adoptions in Australia 2015-16, Table A13 and Table A19*

The Australian Institute of Health and Welfare *Adoptions in Australia Report* defines adoptions as;

**known child adoption:** An adoption of a child/children who were born or permanently residing in Australia before the adoption, who have a pre-existing

relationship with the adoptive parent(s) and who are generally not able to be adopted by anyone other than the adoptive parent(s). These types of adoptions are broken down into the following categories, depending on the child's relationship to the adoptive parent(s): step-parent, relative(s), carer and other.

**local adoption:** An adoption of a child/children born or permanently residing in Australia before the adoption who are legally able to be placed for adoption but who generally have had no previous contact or relationship with the adoptive parent(s).

(2) Disaggregate data is not available for 2009-10 and 2010-11.

Year	Local	Step parent	Kinship carer	Known		Permanent carer	TOTAL
				Foster carer			
2011-12	1	2	1	1		0	4
2012-13	0	0	1	1		0	2
2013-14	1	3	0	3		0	6
2014-15	0	2	1	4		0	7
2015-16	2	1	0	0		1	2

(3)

- (a) 2009-10: 6
- (b) 2010-11: 7
- (c) 2011-12: 6
- (d) 2012-13: 4
- (e) 2013-14: 10
- (f) 2014-15: 2
- (g) 2015-16: 1

(4) This data is not collected as the commencement of an adoption process is specific to the way the adoption comes about (e.g local adoption, step parent adoption, permanent care or intercountry adoption). For some cases the commencement of the process will be when the child or young person first enters care, for others it will be when a child or young person meets the criteria for permanency to be considered and for others the adoption process commences when their file has been sent to the receiving country and is awaiting the allocation of a child or young person. These are just some examples of how the adoption process commences. There is no agreed methodology to determine when an adoption process has commenced and therefore this data cannot be collected.

(5) In the 2015-16 financial year there were 46 information packs sent to members of the community following adoption and permanent care enquiries with the ACT Government. This included enquiries regarding step-parent adoption, local adoption, intercountry adoption and permanent care.

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### Children and young people—notifications (Question No 59)

**Mrs Kikkert** asked the Minister for Disability, Children and Youth, upon notice, on 16 December 2016:

- (1) How many notifications to Child and Youth Protection Services did the ACT Government receive in (a) 2009-10, (b) 2010-11, (c) 2011-12, (d) 2012-13, (e) 2013-14, (f) 2014-15, (g) 2015-16.
- (2) How many of the notifications referred to in part (1) were substantiated in (a) 2009-10, (b) 2010-11, (c) 2011-12, (d) 2012-13, (e) 2013-14, (f) 2014-15, (g) 2015-16.
- (3) What is the current average response time for reviewing a notification.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- (1) Child and Youth Protection Services received the following Child Concern Reports and Child Protection Reports:
  - (a) 2009-10: 11,833
  - (b) 2010-11: 13,036
  - (c) 2011-12: 13,610
  - (d) 2012-13: 14,872
  - (e) 2013-14: 11,614
  - (f) 2014-15: 11,745
  - (g) 2015-16: 16,162
- (2) Child and Youth Protection Services substantiated the following number of reports referred to in part (1):
  - (a) 2009-10: 741
  - (b) 2010-11: 604
  - (c) 2011-12: 845
  - (d) 2012-13: 669
  - (e) 2013-14: 411
  - (f) 2014-15: 532
  - (g) 2015-16: 564
- (3) A Child Concern Report is assessed within a day of being received by Child and Youth Protection Services.

Depending on the initial risk assessment the matter might proceed to a formal investigation (appraisal) and case management intervention. The most serious matters are prioritised first. For example, a serious matter might be prioritised for immediate action, and a less serious matter for action within seven days.

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### **Children and young people—out of home care (Question No 60)**

**Mrs Kikkert** asked the Minister for Disability, Children and Youth, upon notice, on 16 December 2016:

- (1) In relation to out-of-home care for children, how many children are currently on care and protection orders in the ACT.
- (2) How many of these children are in (a) foster care, (b) kinship care and (c) residential care.

- (3) What is the average length of time that children have been in (a) foster care, (b) kinship care and (c) residential care.
- (4) What is the average age at which these children first received care and protection orders.
- (5) How many of these children are (a) female and (b), of these, how many are in (i) foster care, (ii) kinship care and (iii) residential care.
- (6) How many of these children are (a) Aboriginal and Torres Strait Islanders and (b) non-Aboriginal and Torres Strait Islanders and, of these, how many are in (i) foster care, (ii) kinship care and (iii) residential care.
- (7) What percentage of all (a) non-Aboriginal and Torres Strait Islander children and (b) Aboriginal and Torres Strait Islander children are currently on care and protection orders in the ACT.
- (8) How many frontline case managers are employed in Child and Youth Protection Services in the ACT and what is the turnover rate amongst these staff.
- (9) When multiple children from a single family are on care and protection orders, are these siblings always assigned to a single case manager; if not, why not.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- (1) Children and young people in out of home care by order status at 30 June 2016.

	<b>On care and protection orders</b>	<b>Not on a care and protection order</b>	<b>TOTAL</b>
<b>At 30 June 2016</b>	736	12	748

- (2) Children and young people in out of home care by placement type at 30 June 2016.

	<b>Kinship</b>	<b>Foster</b>	<b>Residential</b>	<b>Other</b>	<b>TOTAL</b>
<b>At 30 June 2016</b>	398	264	42	44	748

Please note:

The Other figure includes 'other home-based care' (defined as care by a non-related person with parental responsibility transferred to them by an Enduring Parental Responsibility (EPR) order or 'supported' adoption under section 108A of the Adoption Act 1993), boarding school and supported independent living arrangements. The Kinship figure includes children and young people with a relative who has parental responsibility through an EPR.

- (3) Information about how long children and young people have been in each type of care is not readily available, because it is not collected automatically and could only be provided by interrogating individual files and therefore incurring a significant administrative burden. This task would not be possible given the required timeframe.

However, below is a table detailing the children in all out of home care types by the length of time they have been in care at 30 June 2016. Measuring ranges of the time in care is used rather than an average length of stay in each type of care because of the skewed nature of the data, which would render an average meaningless. A child or young person may move between these three types of care (eg being placed in an

emergency foster care placement prior to the identification and assessment of a suitable long term kinship placement).

Children and young people in out of home care by length of time in continuous care at 30 June 2016.

<b>Time in continuous placement</b>	<b>2016</b>
<1 month	15
1 month to <6 months	57
6 months to <1 year	63
1 year to <2 years	116
2 years to <5 years	202
5 years or more	295
<b>Total</b>	<b>748</b>

- (4) The table below details all children admitted to orders by their age at entry. As above in part (3), an 'average' age would not be meaningful.

Children and young people admitted to care and protection orders.

<b>Age group</b>	<b>2015-16</b>	<b>%</b>
<1	56	31%
1-4	54	30%
5-9	41	23%
10-14	21	12%
15-17	8	4%
<b>Total</b>	<b>180</b>	

- (5) Children and young people in out of home care by sex by placement type at 30 June 2016.

	<b>Kinship</b>	<b>Foster</b>	<b>Residential</b>	<b>Other*</b>	<b>TOTAL</b>
Female	202	108	15	19	344
					(46%)
Male	196	156	27	25	404
<b>TOTAL</b>	<b>398</b>	<b>264</b>	<b>42</b>	<b>44</b>	<b>748</b>

- (6) Children and young people in out of home care by Aboriginal status by placement type at 30 June 2016.

	<b>Kinship</b>	<b>Foster</b>	<b>Residential</b>	<b>Other*</b>	<b>TOTAL</b>
Aboriginal and Torres Strait Islander	117	58	10	12	197
Non-Aboriginal	281	206	32	32	551
<b>TOTAL</b>	<b>398</b>	<b>264</b>	<b>42</b>	<b>44</b>	<b>748</b>

- (7) Children and young people on care and protection orders by Aboriginal status as a proportion of the ACT population of children and young people.

	<b>30 June 2016</b>	
	<b>Number</b>	<b>% of population</b>
Aboriginal and Torres Strait Islander	222	8.99%
Non-Aboriginal	601	0.69%
<b>TOTAL</b>	<b>*823</b>	<b>0.93%</b>

\*Please note:

Children on Child Protection Orders may be living at home and not in Out of Home Care, therefore the total number of children and young people on care and protection orders is often higher than the number of children and young people in out of home care.

- (8) As at 12 December 2016, there were 105 frontline caseworkers employed by Child and Youth Protection Services.

The average turnover rate of permanent staff in 2016 was approximately two per month, however there is continuing recruitment of HP1, HP2 and HP3 case management staff. Nearly half the staff separations in 2016 were to the Out of Home Care sector or other government directorates.

- (9) Practice in Child and Youth Protection Services is child centred and family focused. While in general, siblings are likely to be case managed by the same worker there will be exceptions: for example, with step siblings who may or may not live together or have not lived together in the past. The needs of each child are considered separately and planning will reflect their individual circumstances, kinship networks, history and wishes.

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### **Children and young people—foster care (Question No 61)**

**Mrs Kikkert** asked the Minister for Disability, Children and Youth, upon notice, on 16 December 2016:

- (1) How many foster carers are registered in the ACT.
- (2) How many enquiries did the ACT Government receive in 2015-16 expressing interest in being a foster carer.
- (3) What are the different payments that the ACT Government provides to foster carers and (a) how much is each of these payments, (b) under what circumstances might the payments vary and (c) what other support is provided to foster carers.
- (4) How many complaints from foster carers did the ACT Government receive in 2015-16 regarding ACT Government processes or issues with out-of-home care.
- (5) Out of all the children in foster care in the ACT, how many of them are on enduring parental responsibility orders.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- (1) As at 30 June 2016, there were 347 carer households. There may be more than one carer in each household and more than one child or young person in care in each household. The majority of carers in the ACT are kinship carers.

<b>Carer Households</b>	<b>Foster</b>	<b>Kinship</b>	<b>Total</b>
	148	199	347

(2) Recruitment of foster carers is undertaken by ACT Together and the ACT Government is not the initial point of contact for these enquiries therefore this data is not counted. Any enquiries that were received by Child and Youth Protection Services would have been referred to ACT Together.

(3)

(a) Subsidy payments are paid by ACT Together. The Service Funding Agreement requires a minimum payment as described in the table below.

#### 2016-2017 Foster and Kinship Care Rates

<b>Subsidy Type</b>	<b>Age Groups</b>	<b>Weekly Rate</b>	<b>Who is Eligible? What is the subsidy expected to cover?</b>
Foster and Kinship Care, and Enduring Parental Responsibility (EPR) Rate	0 – 4 5 – 14 15 – 17	\$ 260.57 \$ 292.18 \$ 392.49	The subsidy is intended to contribute towards the costs of the child or young person for day to day expenses such as food, household provisions and costs, clothing and footwear (including school wear), daily travel, suitable car restraints, gifts, pocket money, holidays, hobbies and activities, educational costs, general medical, pharmaceutical costs, general communication costs.
Extended Continuum of Care (inclusive)	18 - 20	\$ 249.46	Paid in respect of young people who have transitioned from care and continue to reside with the carer. From 1 January 2016, carers of young people who turn 18 years of age are able to apply for an extension of the carer subsidy payment. To be eligible, a young person must have : 1. a 'transition to adulthood' plan in place which states the young person will continue to reside with their carer; and 2. Proof of residence with their carers.
Emergency Care Subsidy	0 – 17	\$ 431.74	This rate is provided to foster and kinship carers when the agency is made aware of the need for a placement for a child with less than 24 hours notice. This subsidy level is paid for a maximum period of 21 days.
Respite Care Subsidy	0 – 17	\$ \$349.75	This rate is provided to carers providing respite for foster/kinship placements. This subsidy is intended to cover the costs of the child/young person for a short period and is set in isolation to the needs of the usual care arrangements.

**Notes:**

- All payments are tax free and are not classed in any way as income for any assessment.
- Subsidies are not means-tested and are not affected by Commonwealth Benefits that the carer or young people may be receiving (eg Youth Allowance for children or young people over 16 years).
- In addition to subsidy payments a child or young person's additional needs are identified through the therapeutic assessment process and the development of an individualised therapeutic plan, which is funded individually.

(b) See 3 (a)

(c) The implementation of *A Step Up for Our Kids* includes the provision to provide carer subsidy payments for young people after 18 years of age until they turn 21, where the young person continues to live with the carer. ACT is the only jurisdiction that provides carer subsidy payments for young people after 18 years of age.

(4) The Child and Youth Protection Services' Complaints Unit received fifteen complaints from foster carers in the 2015-16 financial year.

(5) As at 30 June 2016, there were 90 children in care (foster and kinship) on Enduring Parental Responsibility orders.

### **Children and young people—residential care (Question No 62)**

**Mrs Kikkert** asked the Minister for Disability, Children and Youth, upon notice, on 16 December 2016:

- (1) How many children are currently in residential care in the ACT and (a) what are the ages of these children and (b) how long has each of these children been in residential care.
- (2) How many children in total spent time in residential care in the ACT in (a) 2009-10, (b) 2010-11, (c) 2011-12, (d) 2012-13, (e) 2013-14, (f) 2014-15, (g) 2015-16.
- (3) What is the average length of time that children in residential care in the ACT spend in such care.
- (4) How much has the ACT Government spent on residential care for children in each in (a) 2009-10, (b) 2010-11, (c) 2011-12, (d) 2012-13, (e) 2013-14, (f) 2014-15, (g) 2015-16.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

(1)

(a) Children and young people in residential care on 11 December 2016.

<b>Age group</b>	<b>Children and Young People</b>	<b>% of children in residential care</b>
Under 12 years	8	20%
12 to 14 years	10	24%
15 to 18 years	23	56%
<b>TOTAL</b>	<b>41*</b>	<b>100%</b>

\* Note: the numbers of children and young people in residential care is 'point in time' data, and can fluctuate on a daily basis.

(b) Information about how long children and young people have been in residential care is not readily available, because it is not collected automatically and could only be provided by interrogating individual files and therefore incurring a significant administrative burden. This task would not be possible given the required timeframe.

(2) Data is available using national minimum datasets, which commenced in 2012-13.

<b>Year</b>	<b>Children and Young People</b>
2015 -16	123
2014 -15	89
2013 -14	103
2012 -13	107

(3) As with Question 1 (b), this information is not readily available, because it is not collected automatically and could only be provided by interrogating individual files and therefore incurring a significant administrative burden. This task would not be possible given the required timeframe.

(4) Please see below for a breakdown of ACT Government expenditure for residential care, per financial year.

<b>Year</b>	<b>Amount*</b>
2015-16	\$9,146,000
2014-15	\$11,241,000
2013-14	\$10,054,000
2012-13	\$10,151,000
2011-12	\$10,762,000
2010-11	\$11,511,000
2009-10	\$9,319,000

\*Note: The cost of residential care does not necessarily directly reflect the number of children and young people who spend time in care in any one year (see response to question 2). There are a number of variables to consider when comparing the numbers of children and young people who spent time in residential care with the total cost per financial year. The length of each residential care placement, the complexity and level of support required for each individual child or young person and the timing of payments affect overall expenditure each financial year.

'A Step Up for Our Kids' has introduced a stronger focus on early intervention and prevention services in order to reduce the number of children and young people

entering the statutory care system, including residential services. Implementation of this reform took place in stages between January and October 2016.

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**Disability services—staffing  
(Question No 63)**

**Ms Lee** asked the Minister for Disability, Children and Youth, upon notice, on 16 December 2016:

- (1) What was the total number of Community Services Directorate employees employed to provide specialised services within Disability ACT and Therapy ACT.
- (2) What were the specialised services provided by the staff previously employed by the Community Services Directorate in Disability ACT and Therapy ACT.
- (3) How many of these employees previously employed by the Community Services Directorate in Disability ACT and Therapy ACT are still employed within the ACT Government.
- (4) What are the new roles the employees previously employed by the Community Services Directorate in Disability ACT and Therapy ACT now hold within the ACT Government.

**Ms Stephen-Smith:** The answer to the member's question is as follows:

- (1) Disability ACT and Therapy ACT workforce profile as at 1 July 2014:
  - 380 permanent staff:
    - 276 in Disability ACT
    - 104 in Therapy ACT
  - 143 Temporary and Casual staff
    - 115 in Disability ACT
    - 28 in Therapy ACT
- (2) The main services provided to the community by Disability ACT were:
  - Accommodation Support
  - Community Support
  - Community Access
  - Information provision
  - Community Development and engagement
  - Housing options facilitation and support
  - Policy development
  - Management of the ACT Government's response to the National Disability Strategy
  - Sector contract and relationship management
  - Sector development and supporting transition to the NDIS

The main services provided to the Community by Therapy ACT were:

- Age Based Therapy Services:
  - Assessment, intervention and support services for children (0-8 years) with delays in development and people (0-65 years) with developmental disabilities
  - Services provided by speech pathologists, occupational therapists, physiotherapists, psychologists and social workers
- Autism Assessment and Intervention Services:
  - Diagnostic assessment of Autism Spectrum Disorders for people of all ages

- Equipment Services
    - Assessment and prescription of specialised equipment for people with developmental disabilities (0-65 years)
    - Loan of specialised equipment to children and young people (0-16 years)
  - Therapy Assistants in School Programs
- (3) As at 31 December 2016 a total of 58 officers have been redeployed within the ACT Public Service:
- (4) This data is not collected. Only high level initial information was collected to record the Directorate to which staff were redeployed or promoted. The actual roles and employment status of these staff may also have changed over time.

The 58 staff still employed by ACT Government were redeployed as follows

Officers redeployed to the Child Development Service	23
Officers transferred at level in ACT Government	26
Officers promoted within ACT Government	9

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### **ACTION bus service—Nightrider service (Question No 64)**

**Mr Coe** asked the Minister for Transport and City Services, upon notice, on 16 December 2016:

- (1) What was the number of passengers who used the ACTION Nightrider service, for the dates that the service was operational.
- (2) What was the total cost of the ACTION Nightrider service (excluding costs provided to provide discounts to Uber passengers), for the dates identified in part (1).
- (3) What was the total revenue of the ACTION Nightrider service, for the dates identified in part (1).
- (4) What was the total payment made by the ACT Government to allow passengers to gain discounts for their Uber travel, for the dates identified in part (1).
- (5) What is the estimated cost to the ACT Government of providing discounts to allow for ACTION Nightrider passengers to receive a \$10 discount on their Uber ride.
- (6) What is the estimated cost of the ACTION Nightrider service for 2016-17 (excluding costs provided to provide discounts to Uber passengers).
- (7) What is the estimated revenue of the ACTION Nightrider service for 2016-17.
- (8) How are the passenger numbers identified in (1) broken down by (a) passengers travelling to Belconnen, (b) passengers travelling to Gungahlin and (c) passengers travelling south of the lake.
- (9) What was the total (a) cost and (b) revenue of the ACTION Nightrider service in 2015-16.

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

- (1) The total passenger numbers recorded during the operations of the 2016 New Nightrider service was 2,465.
  - (2) The total cost of providing the New Nightrider service in 2016 was \$78,190.
  - (3) The total revenue of the ACTION Nightrider service, for the dates identified in part (1) was \$5,346.
  - (4) As the Territory is still to receive Uber travel data no payment has been made.
  - (5) As the Territory is still to receive Uber travel data associated travel cost information is unavailable.
  - (6) The cost was provided in question 2.
  - (7) The revenue was provided in question 3.
  - (8) The passenger numbers identified in (1) broken down by (a) passengers travelling to Belconnen was 703, (b) passengers travelling to Gungahlin was 689 and (c) passengers travelling south of the lake was 934.
  - (9) For the ACTION Nightrider service in 2015-16 the total (a) cost was \$91,716 and (b) revenue of \$9,668
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### **Planning—Braddon (Question No 65)**

**Ms Le Couteur** asked the Minister for Planning and Land Management, upon notice, on 16 December 2016:

- (1) What plans exist for the development of Block 58, Section 8, on Torrens Street in Braddon.
- (2) How many times has the owner been fined for non-compliance of the lease purpose clause.
- (3) When will the ACT Government move to reclaim the land due to this ongoing non-compliance.

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

- (1) Block 58 Section 8 Braddon does not exist. I am advised the member may mean Block 8 Section 58 Braddon. A development application was approved in 2010 for this site (DA 201018122). The DA could still be acted on.
  - (2) None.
  - (3) The ACT Government is not currently considering reclaiming the land.
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## Questions without notice taken on notice

### Land Development Agency—Westside village

**Mr Gentleman** (*in reply to a supplementary question by Mr Doszpot on Tuesday, 13 December 2016*):

The initial procurement of Westside container village was approved by the Chief Executive Officer of the Land Development Agency (LDA) in May 2014. Following the LDA resuming control over Westside Village in August 2015, the LDA Board approved additional funding to address compliance and safety concerns, and site activation in December 2015 and March 2016.

### Electricity supply—Mitchell

**Mr Barr** (*in reply to a supplementary question by Mr Parton on Wednesday, 14 December 2016*):

It is important to note the Government does not manage or control ActewAGL. I have, however, sought ActewAGL's advice concerning this matter and I have been provided with the following information:

- An application to increase supply capacity to Block 20, Section 22, Mitchell for the Baldwin Distillery was received on 19 January 2016. Based on the existing building's architecture, the electrical contractor acting on behalf of Baldwin Distillery requested a second network connection point for the block, which is contrary to standard practice. The request was denied by ActewAGL on safety grounds, partly because of the isolation of the site and due to concerns for the safety of crews such as the fire brigade in the event of an emergency.
- On 30 May 2016, ActewAGL proposed two alternative solutions and requested advice about the customer's preferred option. The project was then placed on hold awaiting a response.
- ActewAGL subsequently spoke with Mr Baldwin on 10 November 2016 who agreed to provide advice about his preferred option by email.
- On 25 November 2016, documentation was emailed to Mr Baldwin including a request to sign off on the project and return additional application to enable the project to proceed.
- At the time of the Member's question, ActewAGL had not received any further response from Mr Baldwin.
- I understand Mr Baldwin subsequently provided verbal advice to ActewAGL regarding his preferred option.

- Access Canberra has also been working with Mr Baldwin to facilitate him meeting his obligations under ACT regulations around food, liquor and building compliance.
- On 23 December 2016 Access Canberra and ACT Health met with Mr Baldwin at his premises. Access Canberra will continue to work with Mr Baldwin in relation to his regulatory responsibilities.
- I am also advised representatives from ActewAGL and Access Canberra recently met with Mr Baldwin and his electrical contractor on Thursday 12 January 2017 to progress discussions in relation to the electricity supply at his premises.

Following this meeting, ActewAGL received an application from Baldwin Distillery confirming their preferred connection option, allowing the project to progress. The next stage of this work involves a quote and contract to be provided to Baldwin Distillery.

### **Alexander Maconochie Centre—methadone program**

**Mr Rattenbury** (*in reply to a question by Ms Lee and a supplementary question by Mrs Jones on Wednesday, 14 December 2016*):

**As a responsible Minister I am answering the questions taken on notice by the Minister for Health.**

(1) Detainees are prescribed methadone as clinically indicated by a medical officer.

As with any prison in Australia, detainees are prescribed methadone for a number of reasons. In the Alexander Maconochie Centre (AMC), methadone is prescribed if:

- They are part of a community based methadone program prior to detention.
- They are in withdrawal at the point of induction into the AMC.
- They seek access to the program during their detention as a result of using illicit drugs in prison.
- They have chronic pain issues that require this level of medication.

Justice Health Services operates within the ACT Opioid Maintenance Treatment Guidelines 2012 which regulate all methadone prescription in the ACT.

The availability of methadone for detainees at the AMC is part of an effective evidence-based treatment.

The number of detainees on the methadone program on 14 December 2016 was 141.

- (2) Prescription of methadone for pain is a clinically recognised treatment, but without conducting a review of all clinical files at the AMC we are not in a position to definitively answer this question.

Refer to my response to Question 1 regarding the number of detainees that were on the methadone program on 14 December 2016.

- (3) ACT Health is supportive of continuous quality improvement activities. There have been previous reviews that considered the provision of methadone at the AMC. In 2011 the Burnett Institute, and in 2015 the Auditor General analysed the data on the percentage of detainees on methadone and found the percentage of detainees on methadone had been broadly consistent from January 2011 until September 2014.

In 2013, Justice Health Services undertook a Medication Management Redesign Project. There were three recommendations that arose from that Project relating to methadone management. All three recommendations have been actioned and are now standard practice.

The recommendations relating to Methadone delivery:

- Two registered nurses to conduct medication rounds providing each other support and consultation.
- All clients to present with identification to receive medication – three identifiers – name, date of birth and photo.
- Adopt consistent use of alcohol and drug withdrawal tools during medication rounds to identify at risk clients readily and ability to monitor and provide treatment effectively during withdrawal period.

Following the Independent Inquiry into the Treatment in Custody of Mr Steven Freeman, as part of the continual quality improvement cycle, Justice Health Services has commenced a quality improvement activity to review the procedures for prescribing and monitoring methadone use in the Alexander Maconochie Centre to identify whether there are further improvements that can be made.

ACT Health is undertaking site visits to prisons in other jurisdictions to look at methadone processes which will inform further improvements and changes to our own system.

### **Alexander Maconochie Centre—security**

**Mr Rattenbury** (*in reply to a question and a supplementary question by Mrs Jones on Wednesday, 14 December 2016*):

On 2 September 2016, two detainees escaped from the Alexander Maconochie Centre (AMC). ACT Policing was notified and attended the AMC. Both detainees were returned to custody over the course of a week.

This was the first successful escape from the AMC since it opened in 2009. Until then, the AMC had an outstanding record in security, and it was a disappointing occurrence to me and ACT Corrective Services (ACTCS) staff.

Action was immediately taken by ACTCS to further secure the construction site and prevent detainee access to any material that could jeopardise the security of AMC. In addition, ACTCS took steps to appoint a corrections security specialist, Mr Ian Thomas, to bolster the management of security at the AMC and ensure all security procedures and protocols are effective and being followed appropriately by all staff. Mr Thomas has a lengthy career in corrections nationally and internationally and has significant skills and experience in corrections security and prison management.

The Justice and Community Safety Directorate (JACS) also commissioned an independent review of operational security at the AMC with a view to identifying any inadequacies or inefficiencies in ACTCS' security measures. An expert in corrections management, Ms Marlene Morison, was appointed to undertake this internal review, which has since been completed.

Numerous factors have been identified as significantly contributing to the escape, including the security of the current construction site at the AMC, and human error. To this end, an investigation process is underway in accordance with the Corrections Officers Enterprise Agreement; one Corrections Officer has been stood down in the interim. That investigation is on-going and a matter for the Directorate.

It is my intention to release the JACS security review report in the coming months, although a date for release is yet to be identified.

### **Gaming—Casino Canberra**

**Mr Barr** (*in reply to a supplementary question by Mr Parton on Wednesday, 14 December 2016*):

No revaluation of the casino licence was undertaken when Aquis acquired ownership of Casino Canberra, as the licence conditions remained unchanged. For the same reason, that is, the licence conditions remain as they were when Aquis acquired ownership, no work has subsequently been done to revalue the casino licence.

The current casino licence fee under section 26 of the *Casino Control Act 2006* is:

- (i) 2015-2019: \$4,459,385.00 (lump sum paid in 2015);
- (ii) 2010: \$891,877.00 adjusted by movements in the Consumer Price Index (CPI) over the preceding five years; and
- (iii) 2021 onwards: the preceding year's licence fee plus CPI.

The ACT Government is continuing the assessment of the business case for the proposed redevelopment of the Casino in accordance with the Investment Proposal Guidelines for unsolicited bids from private sector proponents. The value of the Casino licence will be considered in the context of the outcomes of that assessment.

**Canberra Hospital—bullying**

**Ms Berry** (*in reply to a question by Mrs Kikkert and a supplementary question by Mr Milligan on Thursday, 15 December 2016*):

- (1) In 2015-16 ACT Health received bullying and harassment complaints from 37 ACT Health staff, of which only three proceeded to formal investigation. Due to the small number of complaints received, we are unable to provide a further breakdown by Divisions, due to the privacy of staff.
- (2) The staff survey does not confirm this.
- (3) No, I will not release any Workplace Culture Survey results. The results of the workplace survey have been used for internal planning purposes. That has been the consistent approach the Government has adopted in relation to this survey, and it is important that the privacy of staff completing the survey is protected.

**Government—construction and development policy**

**Mr Ramsay** (*in reply to a supplementary question by Mr Coe on Thursday, 15 December 2016*):

The ACT defines a property developer according to the purpose of relevant legislation where a definition of a developer is specified. The following definitions currently exist in ACT legislation:

1. The *Community Title Act 2001* provides the following definition:

**“developer**, of a community title scheme” as “the person by or on whose behalf the scheme is, or is proposed to be, lodged for registration.”

2. The *Unit Titles Act 2001* provides the following definition:

**developer** means the lessee of a parcel who applies for the approval of the subdivision of the parcel under section 17 (Unit title applications — general requirements).

3. The *Building Act 2004* (for section 90 of the Act) providing the following definition:

**developer**, for residential building work, means a person for whom the work is done in a building or residential development where four or more of the existing or proposed dwellings are or will be owned by the person.