



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

NINTH ASSEMBLY

8 JUNE 2017

www.hansard.act.gov.au

Thursday, 8 June 2017

Justice and Community Safety—Standing Committee.....	2071
Safer families (Ministerial statement).....	2072
Lands Acquisition Amendment Bill 2017	2077
Road Transport Reform (Light Rail) Legislation Amendment Bill 2017.....	2080
Canberra Hospital—AECOM risk assessment report.....	2083
Administration and Procedure—Standing Committee	2083
Administration and Procedure—Standing Committee	2084
Legislative Assembly—reaffirmation of code of conduct.....	2084
Orders of the day—discharge	2084
Planning and Urban Renewal—Standing Committee.....	2085
Administration and Procedure—Standing Committee (Statement by Assistant Speaker on behalf of the Speaker).....	2090
Education, Employment and Youth Affairs—Standing Committee.....	2090
Environment and Transport and City Services—Standing Committee	2091
Planning and Urban Renewal—Standing Committee.....	2092
Education, Employment and Youth Affairs—Standing Committee.....	2092
Utilities (Streetlight Network) Legislation Amendment Bill 2017.....	2092
Planning, Building and Environment Legislation Amendment Bill 2017.....	2095
Leave of absence.....	2112
Papers.....	2112
Annual report directions 2017-2018	2114
Papers.....	2115
Safer families (Ministerial statement).....	2115
Paper	2116
Questions without notice:	
Gaming—conflict of interest	2116
Parliamentarians—legal fees	2117
Budget—employment.....	2118
Crime—parole review	2120
Sport—women’s participation.....	2121
Trade unions—memorandum of understanding	2122
Environment—container deposit scheme	2124
Appropriation Bill 2017-2018.....	2125
Adjournment	2139
Schedules of amendments:	
Schedule 1: Utilities (Streetlight Network) Legislation Amendment Bill 2017	2140
Schedule 2: Planning, Building and Environment Legislation Amendment Bill 2017.....	2140
Answers to questions:	
City Renewal Authority and Suburban Land Agency—staffing (Question No 165)	2143
Housing—government purchases (Question No 167).....	2144
ACTION bus service—fleet (Question No 171)	2150
Transport—electric bike trial (Question No 173).....	2151
Icon Water—board remuneration (Question No 175).....	2153

Transport—light rail (Question No 184)	2154
Transport—light rail (Question No 186)	2154
ACTION buses—disability access (Question No 190)	2155
Canberra and Queanbeyan Cycling and Walking Map (Question No 191)	2156
Waste—green bins (Question No 192).....	2157
Public housing—redevelopment (Question No 194).....	2158
Justice and Community Safety Directorate—employee assistance program (Question No 197).....	2159
Community Services Directorate—employee assistance program (Question No 202)	2160
Land—development (Question No 203)	2162
Government buildings—electrical systems (Question No 208).....	2163
Real estate agents—panel (Question No 236).....	2164
ACTION bus service—network (Question No 237)	2167
Legislative Assembly—tabling of government responses (Question No 238)	2167
Legislative Assembly—tabling of government responses (Question No 241)	2170
Legislative Assembly—tabling of government responses (Question No 242)	2171
Land Development Agency—staffing (Question No 243).....	2172
Access Canberra—service delivery (Question No 246).....	2172
City Renewal Authority and Suburban Land Agency— community engagement (Question No 251).....	2175
Access Canberra—service delivery (Question No 254).....	2176
Public housing—Oaks Estate (Question No 255)	2176
ACT Policing—school zone speeding statistics (Question No 257).....	2177
Public housing—relocations (Question No 259).....	2178
Public housing—business activities (Question No 260)	2179
Disability services—housing (Question No 264).....	2181
Canberra Institute of Technology—Woden campus (Question No 266)	2181
Planning—community facility zoning (Question No 268).....	2182
Crime—statistics (Question No 271)	2186
Crime Legislation Bill 2017—notification (Question No) 272.....	2187
Alexander Maconochie Centre—detainees with disability (Question No 274)	2187
Alexander Maconochie Centre—elderly detainees (Question No 275)	2188
Alexander Maconochie Centre—domestic violence programs (Question No 276)	2188
Rural fire services—staff training (Question No 277)	2189
ACT Policing—surveillance warrants (Question No 278).....	2189
Alexander Maconochie Centre—domestic violence programs (Question No 279)	2190
Alexander Maconochie Centre—security breaches (Question No 280)	2191
Arts—public artworks (Question No 290)	2192
Canberra Hospital—emergency evacuation (Question No 291)	2197
Canberra Hospital—electrical systems (Question No 292).....	2199
Canberra Hospital—electrical systems (Question No 294).....	2200

Aboriginals and Torres Strait Islanders—bush healing farm (Question No 299)	2201
Questions without notice taken on notice:	
Canberra Hospital—electrical systems.....	2203
Canberra Hospital—electrical systems.....	2203
Public housing—Chapman	2203
Public housing—Chapman	2204
ACT Health—data integrity	2204
Canberra Hospital—security system	2204
Aboriginals and Torres Strait Islanders—bush healing farm	2205
Aboriginals and Torres Strait Islanders—bush healing farm	2205

Thursday, 8 June 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 Report 1

MRS JONES (Murrumbidgee) (10.02): Pursuant to an order of the Assembly of 16 February 2017, as amended on 9 May 2017, I present the following report:

Justice and Community Safety—Standing Committee—Report 1—*Report on Annual and Financial Reports 2015-2016*, dated 30 May 2017, together with a copy of the extracts of the relevant minutes of proceedings

I move:

That the report be noted.

I am pleased to speak on the Standing Committee on Justice and Community Safety's *Report on annual and financial reports 2015-2016*. Annual reports are the principal and most authoritative way in which directors-general and chairpersons account to the Legislative Assembly and other stakeholders, including the public, for the ways in which they have discharged their statutory and other responsibilities and utilised public funds over the preceding 12 months. They also provide an opportunity for all agencies to advise all major stakeholders of their major plans and themes for the immediate future. The provision of meaningful operational and financial information by government to the parliament and the public is a fundamental covenant of the accountability process.

On 16 February 2017, the Assembly referred the annual and financial reports of all government agencies for the calendar year 2016 and the financial year 2015-16 to the relevant standing committees. The annual and financial reports for 2015-16, or parts thereof, considered by the Standing Committee on Justice and Community Safety as part of its inquiry were: the ACT Electoral Commission; the ACT Gambling and Racing Commission; the ACT Human Rights Commission; ACT Policing; the Chief Minister, Treasury and Economic Development Directorate, parts thereof relating to the Attorney-General's portfolio, specifically, racing and gaming policy; the Chief Minister, Treasury and Economic Development Directorate, parts thereof, relating to the portfolio of the Minister for Justice, Consumer Affairs and Road Safety, specifically Access Canberra and the Commissioner for Fair Trading; the Director of Public Prosecutions; the Justice and Community Safety Directorate; the Legal Aid Commission ACT; the Public Advocate of the ACT; the Public Trustee and Guardian; and Victim Support ACT.

The committee held public hearings on 7 and 8 March 2017. At these public hearings, the committee heard from ministers accompanying directorate and agency officers

and members of government boards. The committee thanks the directorates and agencies for providing responses to questions taken on notice and at public hearings, and questions submitted on notice following its hearings. This information assisted the committee and its understanding of the many issues it considered during the inquiry.

Annual reports, as key accountability documents, are one of the main ways for agencies to account for their performance through ministers to the Legislative Assembly and the wider community; a key part of the historical record of government and public administration decisions, actions and outcomes; a source of information and reference about the performance of agencies and service providers; and a key reference document for internal management.

The committee's report includes discussions of significant issues raised during the inquiry process, and makes 28 recommendations, ranging from relatively minor to quite major matters. All the recommendations were supported by the entire committee, by all committee members, and are recommended in a spirit of seeking to assist the government to improve in areas that were discussed or brought to the committee's attention during the hearings process. There are no dissenting comments to the report. We urge the government to take seriously the recommendations and look forward to the government's response.

I would like to conclude by thanking my committee colleagues, Deputy Chair Because Cody, Elizabeth Lee and Chris Steel, and relevant ministers and accompanying directorate and agency staff, and members of governing boards, for providing their time, cooperation and expertise during the course of the inquiry process. I also thank the committee secretariat and our committee secretary, Dr Andrea Cullen, for their great work on this project.

I commend the report to the Assembly. My committee colleagues, I believe, will not be making statements, but obviously they are free to do so. I commend the report to the Assembly.

Question resolved in the affirmative.

Safer families

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) (10.07): Madam Speaker, today I deliver the first annual safer families statement. This statement provides the opportunity to reflect on the solid work that has been done to date to reduce the prevalence of domestic and family violence in our community, but it also serves to remind us that there is still much work to be done.

Each of us knows that domestic and family violence is a widespread problem. We see it locally, nationally and globally. It has a significant and lasting impact on all sectors of our community. Statistics provided by Australia's National Research Organisation for Women's Safety, ANROWS, found that one in six women and one in 19 men have experienced physical or sexual violence by a current or former partner. For 62 per cent of the women who have experienced physical assault at the hands of a man, the most recent incident was in their home. More than one woman is killed every week. The violence often happens behind closed doors, in a place that is supposed to be a safe haven. It happens to people regardless of their beliefs or social, cultural or economic situation and it has devastating consequences.

In May 2015, the Australian Institute of Criminology found that, despite the national rate of homicide declining, two in every five homicide victims are killed by a family member. Up to 88 per cent of those deaths occurred within the victim's home.

Research also tells us that domestic and family violence accounts for more preventable ill health and premature death among women under the age of 45 years than any other of the well-known risk factors, including high blood pressure, obesity and smoking. Domestic and family violence might often happen behind closed doors, but it is everybody's responsibility to help guard against this insidious type of violence. As I will remind members today, it takes more than just governments to commit the will and the funding to create real change. It takes action and commitment from the whole community.

Three detailed reports were undertaken in the ACT in 2015 and 2016 which served to identify, dissect and investigate the full ambit of issues from all angles and ensure that we have a full picture of this issue. The government response made 38 separate commitments to this. Our goal is to deliver whole of community change to achieve zero tolerance for domestic and family violence in the ACT. We all know that this goal will be difficult to measure as we continue to build the evidence base on the effectiveness of our efforts. We know that for real change to occur, we need to keep at it.

In the 2015-16 year, ACT Policing attended over 3,400 family violence incidents and recorded over 2,200 offences for family violence, with the three main offences being assault, property damage or breaching a domestic violence protection order. The Director of Public Prosecutions commenced 710 criminal proceedings relating to domestic and family violence, which is up 37 per cent from the year prior. The Domestic Violence Crisis Service answered around 24,000 incoming contacts to the 24/7 crisis line and is already predicting an increase in demand for these services. Legal Aid provided 1,745 advice and assistance services related to domestic violence and personal protection order matters, which is a 27 per cent increase from the year prior.

We are yet to receive the latest data for 2016-17, but we do know that Legal Aid has provided assistance to an additional 100 victims in the first three quarters of 2016-17 compared to the same period in the previous year; that between July and

December 2016 the Domestic Violence Crisis Service, DVCS, made crisis intervention visits to 773 families and received 12,800 calls for telephone support and crisis counselling; and that for the first three quarters of 2016-17, ACT Policing attended over 2,200 family violence related incidents. We know that the demand for services will probably increase in the short and medium terms as infrastructure improves and awareness increases. Increased reporting means that more people are able to seek help.

The \$21.42 million safer families package funded in last year's budget represents the single largest spending and policy commitment to address family violence in the ACT's history. This is also the first time in the ACT's history that there has been such a dedicated, interconnected, whole-of-government and across-community commitment to address domestic and family violence. Importantly, the commitment and reform program commits to a new model for integration across government, with the community sector led by a dedicated Coordinator-General for Family Safety.

Funding was allocated to priorities across directorates, providing \$9.6 million for Justice and Community Safety, including Legal Aid; \$8.4 million for the Community Services Directorate, including money for front-line services; \$2 million for ACT Health; and \$1.3 million for the Chief Minister, Treasury and Economic Development Directorate.

As we reported in the budget papers, our financial investment to the safer families agenda in 2016 was substantial, with \$4.595 million in investment in our first year, against a budget of \$5.629 million. All funding that was not fully spent this year will be re-profiled to the 2017-18 year either to continue or offset other safer family initiatives. The government's commitment to family safety will continue in the years ahead, with an investment of \$23.5 million over the four years from 2017-18.

But as I have said a number of times, funding alone is not the answer. Real change requires strong leadership. Through a whole-of-government approach, the coordinator-general is supported by a dedicated safer families team and is uniquely positioned to drive cultural change and lead reform in partnership with government agencies, non-government services and the Canberra community.

Our commitment is to build a system that is person and family centred, that builds confidence so that more people will seek help, and that is able to identify and support families at risk much earlier before the violence escalates. That kind of change requires a long-term effort and an approach to implementation that is focused on learning from what works and what does not, refining, adapting and trying again.

This year has seen great progress. We have achieved major legislative reforms that offer much better protection, with new laws enacted from 1 May 2017. They provide a broader definition of family violence to protect victims from the full range of coercive, controlling and abusive behaviours. More family violence victims and survivors are getting help through government support for Legal Aid ACT, the Domestic Violence Crisis Service and the Canberra Rape Crisis Centre. There have been specific investments to improve access to justice processes and family violence

orders by supporting Canberrans through the court process and providing increased access to translating and interpreting services; assisting members of the public to apply for and obtain a family violence order by funding two new family violence order liaison officers at ACT Policing; and assisting victims escaping family violence with immediate expenses by delivering a brokerage and bond fund.

We are also testing innovative approaches, including two important family-centred programs to help families break the cycle of violence. Room4Change is now in operation. It is a therapeutic residential behaviour change program for perpetrators that also supports women and children to stay safely in the home, providing case management, group work and support programs. We are also delivering the justice reinvestment trial in partnership with Winnunga Nimmityjah, to deliver a family-focused approach to reducing the over-representation of Aboriginal and Torres Strait Islander people in the justice system.

And in recognition of the important intersections between family violence and safety for children and young people, we have continued the important reforms by establishing a case analysis team with child and youth protection services, to provide independent advice on individual cases at key decision-making points and to inform training priorities and the development of new policies and procedures.

This year has also been a significant year of design and development for key initiatives. The Coordinator-General for Family Safety has been leading a whole-of-government and whole of community co-design process to help develop a family safety hub for the ACT. The intent of the co-design process is to ensure that front-line and client perspectives are central to the design of the family safety hub. That has meant being flexible to ensure that the process provides real opportunities for input and that people can see how their input is being used. Fifty people have participated in interviews about their experience of the system and the opportunities that they see for reform.

The coordinator-general is also leading work across government to improve the awareness, understanding and capability of our front-line workforce to respond to family violence. A whole-of-government strategy is being developed, to be delivered in 2017-18. In our approach to implementation this year, we have been prepared to be flexible and open to new ideas, to ensure that our commitments are delivered well, and to take advantage of new developments, thinking and best practice.

As I have said many times, we need everybody on board. Government alone cannot change how our whole community thinks and acts on this issue. We will continue to drive an “all-in” approach to this complex issue, and I am pleased that the community continues to embrace this approach.

There are many great things happening across our whole community that you will also see. Last week Canberra Milk made a \$20,000 donation to the Domestic Violence Crisis Service. The ANU are currently undertaking work on gender equality towards eliminating sexual assault from its campuses and surrounding areas. And I am advised that they will be funding an officer from the Canberra rape crisis service on campus,

beginning in coming weeks. The Domestic Violence Crisis Service has set up a new partnership with Swinburne University to work with training around perpetrators which runs for five or 15 days. The Alcohol Tobacco and Other Drug Association of the ACT, ATODA, held a symposium this year about alcohol and drug use, and domestic and family violence.

This month, a new privately funded microfinance facility will be launched that aims to close the gap for the missing middle experiencing domestic and family violence with a one-off, no interest loan to provide financial stability in a time of need. Domestic violence training is being developed for both financial institutions and the insurance sector and will be trialled in the ACT, starting with Beyond Bank. In November last year, we held our 16 days of global activism against gender-based violence, a campaign which garnered support from people and organisations all across the ACT, people such as Alan Tongue, 2017 ACT Australian of the Year, who continues to do great things in this space.

Working together and coordination are the key, and can ensure that we put the needs of victims and survivors at the centre of everything that we do. Madam Speaker, the ACT government again reconfirms its unwavering commitment to continuing work towards eliminating family violence from our whole community.

I present the following paper:

Safer Families—Annual Statement 2017—Ministerial statement, 8 June 2017.

I move:

That the Assembly take note of the paper.

MRS KIKKERT (Ginninderra) (10.20): I thank the minister for her statement regarding keeping families safe. This is an important topic, and it is of utmost importance to those who find themselves victims of personal and family violence.

A constituent in my electorate contacted me on Monday this week. She has been repeatedly assaulted by a former partner, who, thankfully, is no longer a threat to her or her children. But now friends of the former partner have been visiting their residence and threatening further violence. Because she is a social housing tenant, at the end of last year she requested a relocation from Housing ACT. Her application was rejected in January.

Since that time, the threats against her and her children have continued and worsened. Her home has been broken into, and a friend of her former partner has at least once attempted to take her son. These incidents have all been reported to ACT Policing and CYPS. This woman lives in perpetual panic and anxiety. Her primary school aged son has been diagnosed with depression and suicidal tendencies.

My office contacted both Housing ACT and the minister's office to ask for help, as we saw and acknowledged this issue as a matter of urgency. I was instructed to send a

formal letter to Housing ACT asking for a review of this situation, and was informed that a response would be forthcoming. I received no response on either Tuesday or yesterday, and numerous phone calls and emails went unanswered. Housing ACT refused to comment on this issue. This morning, we were informed that Housing ACT has been instructed not to speak to anyone from my office, though they declined to tell me who had given them the order.

Madam Speaker, the minister's office was made aware of this situation, and I would like to hear from the minister herself what exactly is being done to address the fears of this victim of domestic violence before the situation potentially turns tragic.

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) (10.22), in reply: Madam Speaker, I invite Ms Kikkert to again provide the information to my office about the individual she is referring to. I would remind Ms Kikkert that in situations like this, the privacy of those individuals is foremost; it is not the form for ministers in this place to have personal details about individuals who have been affected by domestic and family violence discussed in public in this place.

Question resolved in the affirmative.

Lands Acquisition Amendment Bill 2017

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

Title read by Clerk.

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) (10.23): I move:

That this bill be agreed to in principle.

I am pleased to present the Lands Acquisition Amendment Bill 2017 to the Assembly. The bill makes a number of limited amendments to the current Lands Acquisition Act. The purpose of the bill is to introduce another way to facilitate negotiations on the payment of compensation for the compulsory acquisition of land under the act.

Madam Speaker, from the outset I would emphasise that the proposed amendments do not change the basic structure of the act, including the right to receive compensation and the calculation of compensation amounts payable. In particular, the bill makes no changes to the process for the acquisition of land, the factors to be considered in determining a compensation amount or the process for negotiation and review of compensation amounts payable following an initial claim or offer. These procedures remain exactly the same as they are now under the Lands Acquisition Act.

With this in mind, I turn to the purpose of this bill and the key amendments. Let me set the current scene. Once land has been acquired by a compulsory process, the landowner—and other people who hold an interest in that land—are entitled to compensation. The amount of compensation is determined under division 6.2 of the act. The process for effecting a payment of compensation is currently triggered by the interest holder—such as the person whose lands have been acquired—making a claim under section 56 of the act. If the interest holder does not make a claim then no payment of compensation occurs.

Currently there is no time limit for them to make a claim. It is possible for land to be acquired under the act, but no follow up claim for compensation for years afterwards—or indeed indefinitely. If no claim is made, it is not currently possible for the territory to intervene. The territory cannot take statutory action to bring the compensation matter to a resolution.

In effect, this means the territory can have a liability for compensation of an uncertain amount for an indefinite period. This is not in anyone's interest. It is contrary to the need for timely payment of compensation to the interest holder, the efficient administration of territory finances and the efficient administration of the Lands Acquisition Act.

I would also note that the amount of compensation includes any legal or other professional costs reasonably incurred by the person in relation to the acquisition. As the act currently stands, these costs could potentially increase for an indefinite period, to the cost of the territory. This potential for delay is also not consistent with one of the principles behind the making of the act, and that is the completion of the acquisition of land expeditiously.

The amendments made in this bill address the issue in the following ways. First, the proposed measure in the bill applies when three years have elapsed since the acquisition of the land and a claim for compensation has still not been made. The bill makes it possible for the executive, after three years, to make an offer of compensation to the person whose interest in the land has been acquired. Importantly, the making of an offer by the executive in this circumstance has a particular effect. If the executive makes such an offer, the person whose interest has been acquired will lose the right to initiate the compensation process by making a claim for compensation under section 56 of the act.

Second, the proposed measure facilitates the compensation process because it permits the executive to effectively “kick start” a compensation process with a formal offer of compensation. Once the offer is made, the interest holder will have the ability to assess the offer and the means by which the compensation amount was determined. They can either accept the offer or put forward an alternative compensation amount. Let me reassure you, Madam Speaker, there is no specific limit on the consideration of the offer of the executive. The interest holder has ample time to assess the offer and to do so in the light of any necessary professional valuation or legal advice.

At this point I would like to emphasise that this measure maintains procedures and rights around negotiations and review as to the amount of compensation to be paid. The owner of the interest in land can accept or reject the executive's offer of compensation and, if rejected, the executive must consider the offer and make a final offer. If the person rejects the final offer, it can be reviewed by ACAT. In summary, the bill retains significant mechanisms for the owner to input into, negotiate and seek review of the compensation amount.

The explanatory memorandum for the original act noted a number of key principles behind the making of the act. These principles included the following: first, open procedures in the acquisition of property; second, public accountability of decisions to acquire property; third, compensation for people whose interest in property is acquired which recognises their interests, concerns and rights of appeal; and, finally, completing the acquisition of the land expeditiously.

In my view this bill is consistent with these four underlying principles. In particular, it preserves existing procedural rights and facilities and the expeditious acquisition of land. For transition purposes, I note that the three-year time limit will apply from the day the bill commences in relation to compulsory acquisitions that occurred before the commencement of the bill. So if the person has not made a claim for compensation within three years from the commencement of this bill, the executive may make an offer of compensation. For example, if the land was acquired in 2011, and no claim is made before the bill commences, the executive can offer compensation three years from the day this bill commences.

In considering any amendment to the Lands Acquisition Act it is necessary to ensure that the amendment is consistent with the standing requirement that any compulsory acquisition of property be done on just terms. As members would be aware, this is what section 23(1)A of the commonwealth Australian Capital Territory (Self-Government) Act 1988, otherwise known as the self-government act, requires.

The priorities currently met by the Lands Acquisition Act affirming the right to compensation and setting out the general principles for calculating the compensable amount. Specifically, section 42 of the act affirms the right to compensation. Section 45 and related sections detail the general principles for calculating the amount of compensation, including the need to have regard to the market value of the interest in the land and other matters. Section 78 of the act expressly gives the Supreme Court and the High Court the power to review a compensable decision and to substitute its own, if considered necessary, to ensure just terms of compensation.

Madam Speaker, the modest targeted measure in this bill has no impact on those bedrock compensation principles reflected in provisions such as these. The measure is, however, effective and facilitating the compensation negotiation process. I feel it will benefit both the territory and the people whose land is subject to compulsory acquisition. I commend the bill to the Assembly.

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

Road Transport Reform (Light Rail) Legislation Amendment 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) (10.32): I move:

That this bill be agreed to in principle.

I am pleased to introduce the Road Transport Reform (Light Rail) Legislation Amendment Bill 2017 into the Assembly today. This bill will support the operation of light rail in the road environment, including for road testing and commissioning of the light rail vehicles. It is the first stage of reforms required to support the ACT's road transport legislation. A second stage of legislative reforms will follow in 2018 to support the operation of light rail as a public passenger transport mode.

The bill makes a number of amendments to the road transport legislation to support the operation of light rail vehicles on ACT roads in accordance with the Australian Road Rules and to address insurance arrangements for dealing with personal injuries arising from a collision with a light rail vehicle.

Light rail vehicles will be vehicles under the ACT's road transport legislation and, as such, drivers and the registered operator will be subject to the same laws and rules as the drivers and registered owners of other vehicles. Light rail vehicle drivers and the light rail operator will be able to be fined and charged with driving-related offences in the same way as any other driver.

The driver of a light rail vehicle who commits an offence such as speeding, failing to give way, dangerous driving or drink-driving will be subject to the same penalties as any other driver, which may include loss of their licence. This is consistent with the treatment of drivers and operators of other public transport modes in the territory

Light rail vehicles will not have to be registered in the same way as cars but the light rail operator will have to be accredited to operate a light rail system under the Rail Safety National Law. The Rail Safety National Law imposes strict safety requirements on the light rail operator. The Office of the National Rail Safety Regulator, which is responsible for accrediting the light rail operator under the Rail Safety National Law, has rigorous systems and processes to ensure that the rail operator is properly managing risks to safety associated with light rail operations.

Light rail vehicles will be covered by the ACT's compulsory third-party insurance scheme, ensuring that a person involved in an accident with a light rail vehicle is

treated the same as if the accident involved any other type of vehicle. Compensation will be available for people injured by an at-fault light rail vehicle driver.

Light rail drivers will be required to hold a valid Australian full car licence so that they are aware of the road rules that apply. This ensures that the driver of a light rail vehicle has demonstrated the knowledge of road rules required to drive a vehicle in the road environment in which light rail vehicles will operate. All light rail vehicle drivers will receive extensive training in operating a light rail vehicle.

While the bill provides an amendment to exempt light rail vehicles from the minimum passing rules when overtaking bicycle riders, for the small sections of the route where light rail may interact with bicycle riders, such as intersections, riders will be protected by the requirement in the Australian Road Rules for a light rail vehicle to maintain a sufficient distance from other road users.

The two most common factors leading to road crashes and road deaths in the ACT are speed and alcohol. An important part of this government's focus on improving road safety is targeting drivers who drive while under the influence of alcohol. Light rail vehicle drivers, like all other public passenger vehicle drivers and their instructors, will be required to have a zero alcohol concentration level when operating a light rail vehicle or instructing a light rail driver.

It needs to be remembered that the .05 measure for other drivers is not an impairment threshold; it is just a threshold. It is obviously better than .08, which is the limit in some places overseas, but any consumption of alcohol has the potential to impair your driving. So the bill maintains a consistent "no" to drinking alcohol and driving public transport.

The bill also introduces amendments to support the government's decision to permit the use of segways on ACT public roads by extending existing offences, about riding while drinking alcohol or intoxicated, to riders of segways. These amendments are consistent with the application of these offences to cyclists and riders of animals and reflect the skill and attention required of these road users and the potential for harm to other road users arising from impaired riding of a segway as a result of alcohol.

The bill makes a number of consequential amendments to other legislation to standardise the definition of motor vehicle and to clarify the application of existing provisions regarding railways to the light rail. The bill makes an amendment to ensure the offence of taking a motor vehicle without consent also applies to a light rail vehicle, bus or heavy vehicle.

This reflects the potential harm caused by unlawful use of a heavy vehicle, bus or light rail vehicle and ensures that an appropriate sanction exists. Currently this offence applies only to motor vehicles, which are defined as cars, car derivatives and motorbikes. This offence is a lesser offence than theft and it is commonly used where a person has taken a vehicle for a joy ride.

There are limited alternative offences available when a person takes a bus or light rail vehicle for a joy ride. The potential harm caused by a person taking any of these vehicle types would be significant and the value of these vehicles is generally much greater than that of a light vehicle. This amendment brings the ACT into line with other Australian jurisdictions where the equivalent offence extends to all motor vehicles.

Canberra's future light rail network will deliver a modern transport system to meet the needs of our growing, changing, vibrant city. In addition to promoting public transport, light rail will also contribute to meeting objectives within my portfolio responsibilities of road safety and climate change. The ACT's road safety strategy recognises the role played by sustainable transport policies in improving road safety. Policies that aim to reduce car traffic and prioritise sustainable transport, such as walking, cycling and public transport, are valuable in their own right but also have measurable safety benefits.

In simple terms, the fewer people driving, the fewer crashes will occur on ACT roads. If just 10 per cent of Canberrans changed to non-car transport modes we would expect to see a noticeable decrease in the number of crashes on ACT roads. The alternative to a car-centric city is one that provides genuine sustainable transport opportunities to residents.

Investing in sustainable transport options does not mean we stop building roads altogether or that we pretend cars are not part of our transport system. Many people rely on cars because of their particular job or family situation. I am committed to making our roads safer and ensuring that the ACT provides sustainable transport options. The light rail, together with buses, cyclepaths and pedestrian walkways, will form an integrated city-wide public transport network for Canberra.

In line with the government's renewable energy target, by 2020 the light rail will be powered by 100 per cent renewable electricity and fewer cars on our roads will mean fewer emissions. Without improvements to public transport infrastructure, road congestion will continue to grow as Canberra's population increases, impacting on travel times and the overall quality of life that we enjoy in Canberra.

All Canberrans will benefit from the introduction of light rail. It is beneficial to all who live and work in Canberra through the creation of jobs, encouraging investment opportunities and supporting the integration of public transport in Canberra. Light rail has a proven ability to attract development and investment opportunities that will help revitalise the Northbourne Avenue corridor and the city.

Light rail also brings social and community benefits to areas by increasing accessibility and encouraging better use of urban spaces. Further legislation will be introduced next year that will establish the light rail as a public passenger service. It will ensure that there are appropriate powers in relation to setting and collecting fares, including powers to deal with fare evasion. It will also prioritise the safety and amenity of light rail passengers and a seamless customer experience across transport modes.

This bill today is an important step in the government's commitment to ensuring Canberra has a modern and sustainable public transport network. The light rail will play a key role in making Canberra a sustainable city with a revitalised city centre. I commend the bill to the Assembly.

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

Canberra Hospital—AECOM risk assessment report Order to table—extension of time

MS BURCH (Brindabella) (10.41): I move:

That, notwithstanding the provisions of standing order 213A, and in relation to the order to table the AECOM Risk Assessment Report on the Performance of Infrastructure at The Canberra Hospital:

- (1) the correspondence from the Chief Minister to the Independent Legal Arbiter be provided to Mrs Dunne and Mr Rattenbury for response;
- (2) any response from Mrs Dunne or Mr Rattenbury be provided to the Independent Legal Arbiter through the Clerk's Office by 5pm Friday, 9 June 2017;
- (3) a copy of any response to the Independent Legal Arbiter to also be provided to the Chief Minister, Mrs Dunne and Mr Rattenbury; and
- (4) the Independent Legal Arbiter is to complete his report by 5pm Monday, 19 June 2017.

This is a fairly straightforward motion. It refers to a 213A motion or activity that is in place at the moment. It will allow the exchange of correspondence between those interested parties and for the independent arbiter to complete his report by the close of business on 19 June. I commend the motion to the Assembly.

Question resolved in the affirmative.

Administration and Procedure—Standing Committee Report 4

Debate resumed from 11 May 2017, on motion by **Mr Wall**:

That the report be adopted.

MS CHEYNE (Ginninderra) (10.43): I move the amendment circulated in my name:

Add after the word "adopted":

"with the following amendments to the proposed Code of Conduct detailed in recommendation 2:

- (1) in paragraph (7), omit ‘, effective and economic’, substitute ‘and efficient’;
- (2) omit paragraph (12)(c); and
- (3) in paragraph (13), omit ‘materially impede their capacity to perform’, substitute ‘unreasonably impact on’.

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

Administration and Procedure—Standing Committee Report 3

Debate resumed from 11 May 2017, on motion by **Ms Cheyne**:

That the report be adopted.

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

Legislative Assembly—reaffirmation of code of conduct

Debate resumed from 11 May 2017, on motion by **Ms Burch**:

That we, the Members of the Ninth Legislative Assembly for the Australian Capital Territory, having adopted a code of conduct for Members, reaffirm our commitment to the principles, obligations and aspirations of the code

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

Orders of the day—discharge Order No 5

MR STEEL (Murrumbidgee) (10.44): Pursuant to standing order 152, I move:

That this order of the day be discharged from the Notice Paper.

I am satisfied that the standing committee will consider this important inquiry into universal access to early childhood education in the context of its self-referred work program.

Question resolved in the affirmative.

Order No 6

MR PETTERSSON (Yerrabi) (10.45): Pursuant to standing order 152, I move:

That this order of the day be discharged from the Notice Paper.

This is a fundamentally important issue to the future of Canberra schools. I hope that the committee will self-refer this in future, and we intend to.

Question resolved in the affirmative.

Planning and Urban Renewal—Standing Committee Report 1

MS LE COUTEUR (Murrumbidgee) (10.46): I present the following report:

Planning and Urban Renewal—Standing Committee—Report 1—*Report on Annual and Financial Reports 2015-2016*, dated 31 May 2017, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

This, of course, is the first report for the Ninth Assembly of the Standing Committee on Planning and Urban Renewal. Annual and financial reports were referred to standing committees on 16 February and, of these annual reports, we considered the parts on planning and urban renewal that were from the Chief Minister, Treasury, and Economic Development Directorate and the Environment, Planning and Sustainable Development Directorate. We held one day of public hearings and heard from quite a number of witnesses about the relevant directorates and agencies. Forty questions were taken on notice, and the answers are available on our web page. The committee made 24 recommendations, some of which I will speak about later.

On behalf of the committee, I would like to firstly thank the ACT government ministers, directorates and agency officials for their contributions. Secondly I would like to thank my fellow committee members for their contributions. It has been a good process producing our first report as a committee, and I look forward to being part of producing many more reports as part of the planning committee. I would also of course like to thank the committee secretary. We had a change right at the end when this job was substantially done by Brian Lloyd.

I commend the report to the Assembly, and I would now like to make some comments not as chair but on my own behalf, as it were, as a member of the committee.

The people who were here in the last Assembly know even more than I do that one of the major issues was the LDA's land acquisitions, and I am sure that all members have seen the damning Auditor-General's report. As will surprise nobody, the first question to the LDA was around their evidence to the planning committee in the planning committee's 2015 annual report hearing. I asked the question and quoted from the 2015 transcript:

Mr Coe says:

... surely everything under \$5 million has to go before the LDA board?

The deputy CFO responded:

Yes, and it does.

Then I said:

This response and the subsequent comment by Mr Dawes on page 22 imply that the Glebe Park land acquisition received prior board approval, when, on the basis of the Auditor-General's report, it appears that that was not the case.

As far as I can tell, the situation is that the government put in place clear mandatory directions on approvals that the LDA had to have before it bought land but the LDA then largely ignored this and came up with—I am not sure if it is—its own approach or not even an approach. The Auditor-General's report clearly said the LDA's approach was "incorrect". The Auditor-General's report covered land acquisitions, and the policy directions required reporting on all acquisitions, not just strategic acquisitions.

I am going to do some quoting from the transcript of this hearing. I started off by saying:

Can I draw your attention to page 13 of your report, which states that under the framework the details of all acquisitions completed during a financial year must be included in the LDA's annual report. Why do we only have two listed here, at Stromlo? To start with, it is pretty meaningless. I do not think you bought Mount Stromlo. The ANU, I believe, is still in operation there. Are you saying that there were only two land acquisitions in that year? I do not think you could say that "Stromlo" is a useful description of them.

Mr Gordon said:

Yes, I agree that description is relating to the districts and where the purchases were made. That is the relationship given in the annual report. We can provide the specifics if you like.

I said:

Yes, please. That is all the land acquisitions, you believe?

Mr Gordon replied:

Yes.

We went on and we had Mr Dawes say:

With some of the acquisitions in that particular year, with the settlement dates, some go to the asset register in a different way. If you want specifics, our CFO is here to answer some of those questions.

We then had some more discussion on that subject and then Mr Coe said:

Just on that point, though, this letter, at the front of the annual report, to Andrew Barr, signed by the chair and the chief executive, is dated 23 September.

Mr Dawes said:

Yes.

Mr Coe asked:

By that date the LDA had seen the draft report of the Auditor-General and was well aware of her commentary with regard to what a strategic acquisition is. So how could it be that the most publicised land acquisition that the government made, a very controversial \$4.2 million purchase, is not included in that list?

Mr Fitzgerald replied:

The business purchases are actually recorded against the inventory. We have made a note of the purchases within note 25 on page 123.

Mr Coe asked:

But why would it not be in that list of strategic acquisitions?

I asked:

Why isn't it in the list?

Mr Fitzgerald replied:

I believe that was an oversight. I do not have an answer to that.

Ms Berry did say:

We might take that on notice and check why it is reported differently in the annual report and come back to you on that one, Chair.

I asked:

Reading note 25 refers to the land for the city to the lake project. Is that the land that you are talking about?

Mr Fitzgerald said:

Yes.

Mr Dawes said:

No.

I will not keep on going. It continues like this. This would be sort of Abbott and Costello-level comedy, if it were not so important. It is really disappointing to say the least. The discussion continued to be inconclusive and I must say that I am really concerned that in this instance, at the very least, the committee was confused. I certainly was confused. As answers given certainly appeared to be directly contradictory I think others were confused. And for our system of government to work, the executive has to provide accurate information to the legislature. It appears that this was not the case in this hearing and it appears that that may not have been the case in the previous annual reports hearing by the planning committee of the Eighth Assembly. At the very least it is confusing and disturbing.

There is another issue that has to do with the LDA's land acquisitions. That is the LDA's purchase of rural land to the west of Canberra. This, of course, is now also being investigated by the Auditor-General. I will confine my remarks basically to the broader planning implications rather than any issues about the process that they went through. The story appears to be that about the same time as the LDA's incorrect—and, again, that is the Auditor-General's word—acquisitions policy it started buying rural land to the west of the ACT.

It is very unclear what, if any, strategy was behind the purchases. The LDA was not clear about this. We asked them about consultation and there was zero consultation—that we do know—with the communities of Kambah, Weston Creek and Molonglo Valley as to whether or not they actually wanted to see 1,500 new households on the adjacent, what is now, rural land.

But the issue that I really want to focus on is just who is responsible for doing long-term planning in Canberra. It is supposed to be the planners in ACTPLA, EPSDD, but the message that we got from the hearing—and remember, of course, we did all of this in one day—was that EPSDD, CMTEDD and LDA are all doing strategic planning and they do not appear to be pulling in the same direction.

When I asked the LDA at the hearing why they bought this land, Mr Gordon of the LDA said, amongst other things:

It is zoned as broadacre. Typically, within the ACT there are areas of broadacre that are reserved as the city grows.

However, the land the LDA bought is not zoned broadacre. It is partly zoned rural and partly hills, ridges and buffers. These are not normally zones which are regarded as reserve for future growth. Later though, through a question on notice, the committee were told that this land is shown as a future urban area in the ACT planning strategy but when I looked it up it did not seem to be such. In fact, it is shown as being part of the western edge study area.

At that hearing I asked the Chief Planning Executive about the study. She said:

We have not done a detailed analysis of that area yet. As I said, we are commencing a review of the planning strategy, and looking at those areas may well form part of that. The review of the planning strategy will take a year or two before it is finalised.

The purchases are in areas which are not, at this point of time, future urban areas and relate to an area where the western edge study has not yet been done. To make matters worse there is clearly confusion about who is meant to be doing what. Mr Tennent of CMTEDD told us that EPSDD is just starting its work and:

Our team also, aside from the just four-year land release program, does a piece of work on the future urban development fronts ...

Later he said:

There has been a piece of work looking at all of the potential areas around the ACT, including Kowen.

He also said:

The western edge continues to come under close scrutiny and, again, the LDA are continuing down that particular path.

I am really confused here. We seem to have three strategic planning agencies. We have got CMTEDD, LDA and EPSDD. This really is not right. I very much hope that the government's restructure of the LDA and economic development will solve this problem before money is wasted. And, even more importantly, I hope that this will solve this problem so that we actually plan Canberra for the future, we use good urban planning, rather than planning Canberra on the basis of what land the ACT government owns. I think we can all come up with instances where it appears that that may have been a major motivation behind planning changes.

I will only briefly mention a couple of other areas that the committee spent considerable time on. Housing was one. We talked about housing and public housing in particular. Public housing clearly has been the subject of much debate in this chamber. We have recommendations which are around better consultation so that we do not end up in the situation that we currently have in Weston Creek and also about keeping up with the supply of public housing as our population and our general housing in Canberra grows.

We should not be in the situation that we are in now where we are trying to do a major catch-up just to replace very ageing infrastructure. We should have a program that every year goes out and either buys or constructs more public housing units so that the amount of public housing does not continue to proportionately decrease. In fact, I would very much like to see it increase given the considerable pressure on housing in the ACT.

The other thing that was a major issue and continues to be a major issue is building quality. There seems to be a universal issue for everyone who is involved in any sort of building construction in the ACT and I think it is an area where there needs to be continuing work.

I commend the report to the Assembly. Other members may well wish to comment.

Question resolved in the affirmative.

Administration and Procedure—Standing Committee Statement by Assistant Speaker on behalf of the Speaker

MADAM ASSISTANT SPEAKER (Ms Lee) (10.59): Pursuant to standing order 246A, on behalf of the Speaker I make a statement on behalf of the Standing Committee on Administration and Procedure in response to the recommendations of the Standing Committee on Public Accounts and the Standing Committee on Economic Development and Tourism in their reports on the 2015-2016 annual and financial reports.

In considering the recommendations of the two committees, the Standing Committee on Administration and Procedure consulted with the chairs, deputy chairs and secretaries of those committees. In the ensuing discussion it became clear that there appeared to be an imbalance between the roles and workloads of the two committees, especially in relation to the consideration of annual and financial reports.

The two chairs were of the view that, in relation to the terms of reference for the committees, the resolution establishing the Assembly's general purpose standing committees warranted amendment. It was proposed that the areas of market and regulatory reform, public sector management, taxation and revenue be removed from the terms of reference of the Standing Committee on Economic Development and Tourism and be included in the terms of reference for the Standing Committee on Public Accounts.

As chair of the Standing Committee on Administration and Procedure, the Speaker will be writing to the Manager of Government Business in those terms.

Education, Employment and Youth Affairs—Standing Committee Statements by chair

MR PETTERSSON (Yerrabi) (11.01): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Education, Employment and Youth Affairs relating to the 2016 annual report of the University of Canberra tabled on 9 May 2017. The committee notes that on 16 February 2017 the Assembly resolved to refer to specified standing committees those annual and financial reports that are presented to the Assembly pursuant to the Annual Reports (Government Agencies) Act 2004.

As the 2016 annual report of the University of Canberra was presented to the Assembly pursuant to the University of Canberra Act 1989, I wish to advise the Assembly that the committee will not be examining and reporting on the 2016 annual report of the University of Canberra at this time. Section 36 of the University of Canberra Act 1989 requires the University of Canberra council to prepare and submit an annual report to the minister for presentation to the Legislative Assembly.

The committee has written to the Minister for Higher Education and the Manager of Government Business to request that the 2016 and 2017 annual reports of the University of Canberra be included in the Assembly's next annual report referral.

Also on behalf of the Education, Employment and Youth Affairs Committee, and pursuant to Standing Order 246A, I present a paper entitled *Inquiry into the extent, nature and consequence of insecure work in the ACT—discussion paper*, dated May 2017. The committee published a discussion paper on 18 May 2017 which is intended to assist individuals and organisations to prepare written submissions to its inquiry into insecure work in the ACT.

The paper describes in more detail the issues being addressed by the inquiry's terms of reference and provides a series of questions to guide submitters. The paper also provides references and links to other inquiries into insecure work which have been conducted in other jurisdictions.

The committee has directly sought submissions from a range of people and organisations that are likely to be interested in the inquiry. Submissions close on Friday, 30 June 2017. The committee looks forward to receiving submissions from the ACT and wider community and scheduling hearings later this year.

Environment and Transport and City Services—Standing Committee

Statement by chair

MS ORR (Yerrabi) (11.03): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Environment and Transport and City Services relating to petition No 2-17. The petition was received by the Assembly on 14 February 2017 and referred to the committee under standing order 99A. The petition concerned a request for the upgrade of existing traffic control measures, in the form of traffic control lights, at the intersection of Tillyard Drive and Ginninderra Drive.

The committee notes that the minister's response to the petition under standing order number 100 indicates that a feasibility study and preliminary sketch plan for the intersection has been commissioned by Transport Canberra and City Services and will involve investigation of traffic management options and possible remediation works. Following consideration of the petition and the minister's response, the committee has determined that it will not be holding an inquiry into this matter at this time.

Planning and Urban Renewal—Standing Committee Statement by chair

MS LE COUTEUR (Murrumbidgee) (11.04): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning and Urban Renewal relating to petitions Nos 10-17 and 11-17. The petitions were received by the Assembly on 10 May 2017 and referred to the committee under standing order 99A. The petitions concern proposed public housing developments in Holder and Chapman.

The committee notes that its current inquiry into housing and an anticipated inquiry into community consultation and planning will have relevance to some of the concerns raised in these petitions. The committee notes that the minister's response to the petitions under standing order 100 is required within three months of the tabling of the petitions. The committee will consider its response to the petitions following the presentation of the minister's response to the Assembly.

Education, Employment and Youth Affairs—Standing Committee Reporting date

Motion (by **Mr Petterson**), by leave, agreed to:

That, notwithstanding the provisions of the resolution of the Assembly of 16 February 2017, as amended 9 May 2017, referring annual and financial reports to the relevant standing committees, the Standing Committee on Education, Employment and Youth Affairs present its report on its inquiry into the 2016 annual report for the Canberra Institute of Technology by the last sitting day in March 2018.

Utilities (Streetlight Network) Legislation Amendment Bill 2017

Debate resumed from 11 May 2017, on motion by **Mr Barr**:

That this bill be agreed to in principle.

MRS DUNNE (Ginninderra) (11.06): I am making these comments on behalf of Mr Coe. The Canberra Liberals will be supporting the Utilities (Streetlight Network) Legislation Amendment Bill 2017. We recognise the issues raised by the Standing Committee on Justice and Community Safety in scrutiny report No 6 regarding the interference with the right to privacy under the Human Rights Act. Those notice provisions reiterate the importance of good and timely communication with constituents by the government. The notice provisions should be strictly adhered to not only as an administrative matter but also to conform with community expectations.

We do accept that the bill is not an endorsement of the procurement process currently underway. Any work undertaken on the territory's behalf should be held to the highest

standards of probity and accountability. Little information regarding the parameters of the contract has made its way into the public domain. This is symptomatic of the current government, which consistently acts against the principles of open government they claim to represent.

The opposition is hopeful that local businesses will benefit by enabling non-ActewAGL contractors to undertake work for the territory. It is our intention to closely scrutinise how the contract for the streetlight network is carried out. We will be looking to ensure that there is integrity in the procurement process and value for money delivered through the contractual period.

MS LE COUTEUR (Murrumbidgee) (11.07): I rise to support this bill. I am advised that the bill is part of the government's proposal to change the contracting-out arrangements for streetlights to a long-term arrangement. The aspect of that process the Greens are most interested in is the potential for energy efficiency savings.

I understand that, in fact, streetlights currently make up 25 per cent of the ACT government's total electricity use. While of course this will soon be 100 per cent renewable electricity, there is absolutely no point wasting electricity, renewable or otherwise. I would also suggest in this process that the contract could look at minimising waste of materials as well as waste of energy.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (11.08), in reply: I thank members for their brief contributions this morning and for their support of the Utilities (Streetlight Network) Legislation Amendment Bill.

Over the past few years the government has undertaken a range of activities to improve the management of the territory's streetlight network. This bill represents a vital component of the government's commitment to overhaul the management of that network by improving the regulatory framework in place for the ongoing management of the network.

I am pleased to inform the Assembly this morning that the government is now in the final stages of its procurement process for a new streetlight management contract that will encompass a complete management solution for the territory's network. The shortlisted proponents are undertaking a detailed study of the network before providing final offers to the government. The commencement of the new contract is expected in the second half of 2017.

The successful proponent from this process will be responsible over the period of the contract for the continued operation and maintenance of the network, the implementation of a strategic energy efficiency upgrade to LED technology and the establishment of a flexible smart-city backbone.

Madam Assistant Speaker, this bill introduces important amendments to strengthen and improve the regulatory framework in which streetlight operations occur in the territory. The bill complements the existing regulatory framework and seeks to clarify

aspects of key legislation by removing any ambiguity about the regulatory environment in which the successful proponent from the current procurement process will operate.

The amendments contained in the bill relate to both the Utilities Act 2000 and the Electricity Safety Act 1971, which form the regulatory framework for the streetlight network in the territory. The Utilities Act amendments will allow streetlight service providers uniform access to streetlight infrastructure and clarify the definition of the streetlight network and the purpose of the streetlight network code. The amendments allow the Minister for Transport and City Services to approve a framework agreement between the ACT government and the ACT electricity distributor.

The bill also contains amendments to the Electrical Safety Act to clarify how streetlight service providers can comply with the relevant wiring standards that apply in the territory to the streetlight network. It does not change the wiring standards.

Before I commend the bill to the Assembly, I advise that in the detail stage I will move a government amendment to rectify the drafting of clause 9 to better clarify what constitutes “infrastructure of the streetlight network”. This amendment is minor and technical in nature. The intention of the amendment is not to make a significant policy change, but rather to provide clarity and certainty around the definition of a streetlight network.

This minor amendment makes it clear that the streetlight network is defined as being inclusive of both the infrastructure for the provision of street lighting and infrastructure used to deliver services related to street lighting. The overall package of amendments across the various legislation reinforces the government’s commitment to improving the streetlight network and collectively helps to ensure a robust regulatory framework is in place going forward. I commend this bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (11.12): Pursuant to standing order 182A(b), I seek leave to move an amendment to this bill as it is minor and technical in nature.

Leave granted.

MR BARR: I move amendment No 1 circulated in my name and table a supplementary explanatory statement to the government amendment [*see schedule 1 at page 2140*].

As I outlined in my speech in reply, this is a minor and technical amendment that better clarifies what constitutes infrastructure of the streetlight network.

Amendment agreed to.

Bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

Planning, Building and Environment Legislation Amendment Bill 2017

Debate resumed from 23 March 2017, on motion by **Mr Gentleman**:

That this bill be agreed to in principle.

MS LAWDER (Brindabella) (11.14): I am pleased to rise today to speak about the Planning, Building and Environment Legislation Amendment Bill 2017. This is the second PBELAB that has been brought to the Assembly this year. It is an omnibus bill that enables comparatively minor matters to be dealt with expediently, and consolidates amendments into one place with the intention of making the amendment process more user-friendly and accessible. Note there the use of the word “intention”.

The bill proposes minor policy amendments to the Energy Efficiency (Cost of Living) Improvement Act 2012 and the Nature Conservation Act 2014. The bill also proposes a number of technical and editorial amendments to the following legislation: the Climate Change and Greenhouse Gas Reduction Act 2010, the Electricity Feed-In (Large-scale Renewable Energy Generation) Act 2011, the Electricity Feed-In (Renewable Energy Premium) Act 2008, the Environment Protection Act 1997, the Heritage Act 2004, the Nature Conservation Act 2014, the Planning and Development Act 2007, the Public Place Names Act 1989, the Water Resources Act 2007 and the Water Resources Regulation 2007.

I will briefly run through some of the changes.

Part 2, which relates to the Climate Change and Greenhouse Gas Reduction Act 2010, creates a mechanism for the minister to table the Climate Council annual report when the report is published during an election period.

Part 3, which relates to the Electricity Feed-In (Large-scale Renewable Energy Generation) Act 2011, amends the definition of “Australian capital region” to include the ACT and areas defined in regulation. This is because New South Wales council mergers have led to some name changes. These councils with name changes are listed in the regulation and appear to cover the same areas.

Part 4, which relates to the Electricity Feed-In (Renewable Energy Premium) Act 2008, corrects the legislation to refer to the Utilities (Technical Regulation) Act rather than the Utilities Act.

Part 5, which relates to the Energy Efficiency (Cost of Living) Improvement Act 2012, amends the power of the administrator under the Energy Efficiency (Cost of Living) Improvement Act to allow for easier sharing of compliance information with similar environmental and greenhouse gas emissions agencies in other jurisdictions.

Part 6, which relates to the Environment Protection Act, increases the prerequisites and conditions needed in a notice requiring an environmental audit on contaminated land to be in line with other audits the authority may demand. It also creates an offence for failing to comply with a notice to audit contaminated land, similar to failure to conduct another audit.

Part 7 relates to the Heritage Act 2004. This clause amends the provision to state that the council must provide its reasons for a decision but removes the requirement that the council provides an assessment against the criteria if there has not been one. I will speak more about the changes to the Heritage Act later.

Part 8, which relates to the Nature Conservation Act 2014, changes the reporting period from five to seven years, the justification being to bring it in line with minimum federal reporting.

Part 9 relates to the Planning and Development Act 2007. The change adds the EPA as a person who must be consulted by the custodian in the preparation of a draft management plan for an area of public land.

Part 10 relates to the Public Place Names Act 1989. The current act outlines that all cultural groups named in the regulations are to be consulted on public place names. The current regulations name ATSIC as the only cultural group. However, this is no longer in existence, so the bill has been changed to direct the minister to take reasonable steps to consult an appropriate cultural group. I will speak a little more about the Public Place Names Act a bit later.

Part 11 relates to the Water Resources Act. The act is being amended to more accurately reflect, by geography, the current councils within the water catchment region areas, as a consequence of the changed names of several New South Wales councils. It also acknowledges and specifies a pre-election period for tabling reports which have been presented to the minister during an election campaign. It also changes the ACT government membership to better reflect the directorates involved and redefines membership of the coordination group from being several heads of directorates to the heads of service plus an appropriate director-general.

Part 12, which relates to the Water Resources Regulation 2007, prescribes the councils which must be negotiated with, accommodating current and possible future council amalgamations and name changes, and appoints the same heads of directorates which were named in the act to the coordination group.

As a whole, the Canberra Liberals support this bill. There are, however, two sections that we do not agree with: changes to the Heritage Act, and the changes to the Public Place Names Act. I will speak on those concerns in a moment.

First, I would like to say that I am disappointed to have to mention once again the importance of consultation. It is quite obvious to just about any person on the street that good policy is derived when governments do good consultation. This government has not adequately consulted with the community on this bill because it feels these changes are minor in nature.

The government is good at talking the talk when it comes to consultation, but it does not walk the walk. It talks about a lot of grand plans, about new ways to consult, spending more money on community consultation initiatives such as participatory democracy and community juries. I do not believe that the issue is the style of the consultation; it is actually the fact of doing any consultation. The government does not bother to consult on many of these issues. It cannot get the basics right.

Not only did the government fail to consult with the community on this particular bill; they also made it very difficult for my office to consult, as emails were ignored and phone calls not returned until very late in the piece. Remember, Madam Deputy Speaker, that this bill was set down for debate in the last sitting period. My office approached the minister's office on 23 March asking for a briefing on this bill. After 10 emails and five phone calls, six weeks later, a briefing was finally arrived at, for the Monday before this bill was originally due to come to the Assembly in the last sitting.

Since the last sitting, the bill not having been debated until now, my office reached out again, asking more questions. Again, my office and the community have been left waiting. Questions were answered only after 5 pm last night. If my office is having this much difficulty in getting any engagement from the minister, you have to question how members of the general community and community groups are getting on trying to consult.

Unintended consequences are avoided through consultation, through gathering the views of many different interested parties. The response I have had from the minister's office is that this amendment to the Heritage Act is proposed to fix a drafting error that came about through the introduction of a clause back in May last year to address a gap in legislation at the time as to what information must be included. Each time something is introduced, it has the possibility of introducing another problem. By not looking at all the possible permutations and combinations, allowing different people to view what has been proposed, the chance of making a mistake—a small, inadvertent, accidental, unintended mistake, but a mistake nevertheless—is greater than if you allow interested parties to participate in the process.

The amendments that I will put up in the substantive part of this debate are a result of consultation with the community and those who have extensive experience in the policy areas, those who can see the possibility of unintended consequences from these changes proposed today. Every community group my office and I spoke to was unaware that the government were making these changes before the last sitting period. Every community group was outraged. It is not the role of the opposition to do the

government's consultation for them, but here we are, consulting with community groups and trying to make a change that will make this change better for the community.

From the people that I spoke to about these changes, I received a number of emails, including from the Inner South Canberra Community Council, the National Trust, the National Trust again, and a number of different organisations. That is what I have here. And there are emails from representatives of other community councils as well. They all said they were unaware of the proposed changes. This is what consultation looks like, Madam Deputy Speaker: a range of emails from a range of different organisations.

MADAM DEPUTY SPEAKER: I hope that is not a prop, Ms Lawder.

MS LAWDER: No, no. I can table them, if you like. They are here for my own reference.

MADAM DEPUTY SPEAKER: Great.

MS LAWDER: This is how we could avoid unintended consequences of proposed amendments while still respecting the changes that the government believes are necessary. It is a way to think through the possible things that could go wrong. Let me quote one of these:

The proposed amendments have generated much anxiety, with significant time and effort expended by the National Trust, community councils and other community organisations considering the proposed amendment and its implications.

This letter goes on to say:

We need more proactive engagement of key stakeholders by the ACT government when such legislative amendments are proposed.

So it is not just me saying that this is necessary. I am trying to put forward the views of a number of different community groups in relation to the changes proposed by the minister in this PBELAB, which are intended to deal with minor, technical and policy changes but which in some cases have unintended consequences.

I will speak now about some of the amendments that I will be moving later. Let me go to the Heritage Act. Section 34 of the Heritage Act deals with notice of a decision about registration. The government's proposed change will remove the requirement for an assessment to the heritage significance criteria. The explanatory statement says:

There are some circumstances where an assessment is not undertaken because a decision not to provisionally register a place or object is made on another basis.

The explanatory statement then gives as an example a situation where "a place has natural heritage significance only and is more appropriately protected under the

Nature Conservation Act 2014". In that situation, the government claims the council should not be required to provide an assessment against the heritage significance criteria.

An unintended consequence of this change could see an application simply refused on any grounds. For example, the council could consider that registration would interfere with the development potential of the place and so refuse an application for heritage registration on this ground. In other words, if no heritage assessment has been done, the council could simply refuse the application without ever having even thought about the heritage significance of the place or object.

Whilst I do not believe that the changes are intended to allow this to happen, the proposed legislation leaves it open to such interpretation, in the view of members of community organisations, including the National Trust. The National Trust has said this about the issue:

The National Trust and the view of the heritage practitioners and community members that I have been in contact with is greatly concerned that the proposed amendments will enable the ACT Heritage Council to make decisions without adequate assessment and advice as to why they reach decisions. Due process requires an open advice/discussion on why heritage listings are made or not made as this is the only way of informing the community of what is our heritage and why. We support the proposals by—

the opposition—

as they retained the original clause but did enable some latitude for items that are covered by other Territory Acts.

For this reason, we are proposing an amendment to this section today. The amendment we propose will deal with the situation outlined in the explanatory statement while allowing for the decision-making requirements of the Heritage Council. Our amendment leaves the current legislation intact and provides that the heritage assessment does not have to be undertaken if the place or object is protected under another territory law or if the application is incomplete. These changes are made in section 29 and section 32.

If an application is incomplete, the change that we are proposing allows for the council to make a decision at the appropriate time of nomination application being received. In regard to whether a place or object is protected under another territory law, our proposed changes allow the council to make the determination about provisional registration at the provisional registration stage, not an assessment stage.

The government's proposed amendment goes way beyond what is required to solve the issue that was outlined in the explanatory statement and in the briefing we received from the government. While we would rather no changes be made, we are proposing the amendment as an alternative to solve the issue the government has identified. It limits, we believe, the unintended consequences that community and heritage practitioners have foreseen.

The amendment comes after considerable consultation with the heritage community, including, but not limited to, the Lake Burley Griffin Guardians, the National Trust, many different community councils and a number of individuals. I would like to thank each and every one of them for their assistance. I hope they felt heard in this process and listened to. I will continue to consult and communicate with the community even if this government will not.

With regard to the Public Place Names Act, we are moving change to section 4 of the act. The government proposes to change the requirements that the minister consult with prescribed entities in relation to public place names that use terms from Aboriginal and Torres Strait Islander languages because the current prescribed entity, ATSIC, no longer exists. However, the changes that this bill proposes go too far and require the minister only to take reasonable steps.

It is very difficult to find a definition of “reasonable steps”, especially in the Australian context. There is an example from the UK in *R (Croydon Property Forum Limited) v London Borough of Croydon* in 2015 which talks about reasonable steps to consult, but it is a high threshold for a claimant challenging a consultation process to reach. I wonder if that is the definition that the government wants.

Maybe the government is considering that reasonable steps to consult are much of a muchness with reasonable skill and knowledge, for which there is an Australian definition under *Australian Securities Commission v Gallagher* in 1994. But if this is the government’s intention of what “reasonable steps” under the Public Place Names Act means, the minister must act in a way which an ordinary prudent person with the same skill, knowledge and experience as the minister would when taking steps to engage with Indigenous organisations. It is a difficult definition to fulfil. It leaves considerable onus and expensive interpretation up to the courts.

I had a briefing on this matter from the minister’s office eventually, but his staff could not adequately define the minister’s meaning of what “reasonable steps” might actually entail. That is why we are proposing an amendment to this section. It retains the requirement for the minister to consult with an appropriate organisation that represents the interests of Aboriginal and Torres Strait Islander people. It allows the minister to update the regulations with multiple different cultural groups without the need to consult each of them on every issue. But it does allow for broad consultation with multiple groups and allows the minister to seek the advice of the most appropriate group without placing it under an unfair administrative burden.

Just yesterday, we discussed in the Assembly the lack of consultation and communication from the government, and confusing communication, in relation to the bush healing farm and other Indigenous community groups involved in the bush healing farm. The government’s proposed amendment to the Public Place Names Act will water down the requirements of further consultation and could lead to further difficulties. I will speak a little more about this change in the detail stage.

As I started by saying, the Canberra Liberals support the majority of this bill. Of 26 clauses, we are proposing amendments to only two. These amendments have come about from consultation with the community, which is something that this government has so far refused to do.

MS LE COUTEUR (Murrumbidgee) (11.34): My comments will relate to the two issues that Ms Lawder has talked about. Mr Rattenbury will have some further comments about the issues relevant to his ministerial responsibilities. As Ms Lawder said, she has talked about the only two controversial aspects of this bill. Of course, it is appropriate that there should not be many—preferably no—controversial issues in PBELAB. That is the purpose of these bills—to do routine, noncontroversial things. But we will not go there. We have had this conversation before. I will stick to the knitting on the Heritage Act amendments and the Public Place Names Act amendments and I will address Ms Lawder’s amendments.

I will start with the Heritage Act amendment. Over the last month my office has had a large number of phone and email conversations with community organisations and individual members of the community about this, including, usefully, people who actually know the heritage system very well. Probably my office and Ms Lawder’s office have had a considerable overlap in terms of correspondence on this subject.

Most of these members of the community were concerned about the possibility that the bill was introducing a new loophole that means that the Heritage Council will be able to reject nominations without conducting a proper assessment of them. However, not everybody has agreed with these concerns. To try to work my way through this and make sure that the Greens support the best legislation for heritage, my staff and I have had extensive conversations with Minister Gentleman and his staff, Ms Lawder’s office and members of the community, including, importantly, members with considerable knowledge and experience of heritage assessment.

I must admit that I was initially very concerned about the changes and initially considered whether to vote for them. But my office has done a lot more work on this. We have had a lot of consultation from a lot of people. The additional time we took to look at the issues has been very useful from our point of view. But on the basis of all the consultation we have done, I have reached the view that what is done is probably not intended to be a loophole. I am confident it is not intended to be a new loophole. Maybe, to be clearer, I should say that I think that not only is it not intended to be but that it is not.

It is, I believe, what the government has said it is, a small change that is required to allow the Heritage Council to do its job effectively. In this instance I might comment that the first thing I was lobbied on when I was re-elected was Bruce Hall. I happen to be a former resident of Bruce Hall. Of course, Bruce Hall is located in the ACT and the issue was the potential demolition and the heritage issues relating to this.

This is something that is relevant to this debate. Clearly, Bruce Hall has heritage values. No-one would debate that. The question really, though, is whether or not the

ACT Heritage Council needs to provide a detailed discussion of its undoubted heritage values when in fact the situation is that Bruce Hall is located on national land and is within a designated area. It is subject to commonwealth management. In these circumstances, I am informed that the Environment Protection and Biodiversity Conservation Act 1999 is the relevant heritage legislation.

This is the sort of instance that the PBELAB is trying to deal with. Where it is clear that the heritage investigation was not needed to be done, you do not have to say what you did not have to do. The government has now provided a revised explanatory statement. It gives a number of examples that show why this change is needed. It has also responded directly to the National Trust's concerns and I have seen that response. As a result of all the consultation and these communications, my concerns have been reduced. I will therefore be supporting this element of the bill and will not be supporting this element of Ms Lawder's amendment.

However, I think that the minister, on the basis of this conversation, is aware that this is not a blank cheque for the Heritage Council to say, "No we are not going to look at things that have been given to us"—things that are within its purview. The Greens, many in the community and clearly the Liberal Party will be watching this. If the change does turn out to be a loophole, we will be back here voting on legislation to reverse this change.

I will also not be supporting Ms Lawder's amendment on the public place names element of PBELAB. I of course entirely agree with Ms Lawder's policy intent. Who would not? I would be surprised if the government does not agree entirely with Ms Lawder's policy intent. I would have to agree that the government's wording "must take reasonable steps to consult an appropriate cultural group" is weak and it would be better to do it better. The problem is how to do it better.

The practical reality is that it is not always possible to consult with an entity that meets Ms Lawder's wording. I do have some knowledge of this, or rather my office does. One of my staff previously worked in the Victorian system. The Victorian system had similar legislation and similar issues to the ACT.

The Victorian system provides that "registered Aboriginal parties" may represent traditional owners for many local areas. But unfortunately, as a matter of practical reality, 40 per cent of Victoria was not covered. These bodies are significantly underfunded and barely able to achieve their statutory roles, certainly in Victoria, let alone for interstate requests.

These bodies only represent the traditional owners of the areas they cover, not other local Aboriginal and Torres Strait Islander people. It is a sad reality that many Aboriginal and Torres Strait Islander people have been dispossessed and displaced through the stolen generations and other generally unfortunate interventions over the past 200 years of non-Aboriginal occupation of this country. They are not in a position to be adequately represented by their local registered Aboriginal party.

I agree with Ms Lawder that we are not in a satisfactory situation, but I will not be supporting her amendment on the basis that, while worthy and well meaning, it does not actually really advance the situation, unfortunately.

MS LEE (Kurrajong) (11.42): In speaking to this omnibus bill, the PBELAB, I accept that it makes administrative sense to combine a number of otherwise unrelated amendments for the Assembly to deal with, notwithstanding that it makes for some complicated tracking in parts.

As the minister stated in his introductory speech in presenting this bill in the March sitting week, the purpose of PBELAB is to allow “various amendments to be consolidated into a single bill” to enable it to provide an “effective means of keeping legislation up to date and responding quickly to changing circumstances”. Equally, the explanatory statement provided with the bill is indicative of the mixed nature of this legislation.

The bill before us combines policy amendments with technical and editorial amendments across 10 acts. I intend to focus on those impacting on the environment portfolio. My colleague Ms Lawder has addressed, and will further discuss in the detail stage, the issues affecting heritage and naming of public places changes.

First, I address the policy amendments. There are two policy amendments contained in the bill. These amendments relate to the Emergency Efficiency (Cost of Living) Improvement Act and the Nature Conservation Act. The minister described both of these amendments as non-controversial and as changes designed to improve the effectiveness of each piece of legislation.

The first amendment in clause 12 relates to the power to share compliance information under section 28C of the Energy Efficiency (Cost of Living) Improvement Act 2012. This act established the energy efficiency improvement scheme, or EEIS, that I queried in annual reports hearings earlier this year.

The objects of the EEIS are to: encourage the efficient use of energy; reduce greenhouse gas emissions associated with stationary energy use in the territory; reduce household and business energy use and costs; and increase opportunities for priority households to reduce energy use and costs. In his introductory speech, the minister gave some examples of activities that are eligible under the EEIS, including low-energy lighting and thermally efficient glazing.

To ensure the proper and efficient operation of the scheme, it is important that compliance and administrative powers under the act are working effectively. Currently the act gives the scheme administrator power to share compliance information with administrators of similar schemes in other jurisdictions. However, the wording in section 28C(1)(b) is limited in its relatively prescriptive format and does not seem to accurately reflect the original intent.

The minister and indeed the briefing government officials state that there is a concern about the potential for double counting in respect of obligations and/or incentives under different energy efficiency improvement schemes. Whilst there seems to be no evidence about any incidents of retailers seeking to take advantage of this seeming loophole to try to get double the subsidies or incentives, as government officials indicated, the lack of capacity of administrators to share compliance information means that these statistics, if they exist, are not readily available for interrogation.

By changing the prescriptive and exclusive list of the eligible activities under the scheme to a broader inclusion of activities pursuant to any energy efficiency improvement or greenhouse gas abatement laws, activities such as the commonwealth carbon farming initiative, which has not been adopted under the scheme, are captured for the purposes of sharing compliance information, whether to ensure no double counting or otherwise.

The scrutiny of bills committee, in reviewing this legislation, looked into the human rights issues implicit in this clause, given the potential to impact on privacy, but have not required a response from the minister.

The second policy amendment in clause 15 seeks to amend section 203(2) of the Nature Conservation Act and is intended to improve the efficiency and effectiveness of reporting on Ramsar wetland management plans. Ramsar wetlands are those regarded as having international significance and are listed under the Ramsar convention. The ACT has one site listed under the Ramsar convention, the Ginini Flats wetland.

The Nature Conservation Act 2014 requires the conservator to report to the minister every five years under the Ramsar wetlands management plan. The bill proposes to change the reporting period from every five years to every seven years. The intention of this amendment is to align the ACT with the commonwealth's seven-year reporting cycle. It is designed to make reporting more efficient and to facilitate better quality reporting.

In the briefing I received on this bill, I posed a number of questions to the directorate in respect of this time line. Given that the Nature Conservation Act came into existence in 2014, the first reporting date under the current act would have been 2019. The effect of this amendment would mean that the reporting date may move to 2021, subject to when the seven-year commonwealth cycle started.

At the time of the briefing ACT government officials were not able to state when the next reporting date for commonwealth Ramsar wetlands is, or what other jurisdictions do, and/or had in place, to create synergies in their reporting dates. However, the latest report has now been tabled as a disallowable instrument on 12 May. The Ginini Flats wetland complex management plan is a detailed document that covers a range of topics, providing guidelines for sound management of the area. It refers to such things as fire, visitors, invasive species management and steps needed to protect and rehabilitate the peatland.

It is interesting to note that in Namadgi National Park and within the Ginini Flats area, feral pigs, feral horses and other pest animals are a concern. In the plan it suggests, where management planning is absent, that programs be established to monitor the presence and impact of goats, cattle, deer, foxes, cats, rabbits and European wasps. The next review of the plan is due in seven years, that is, May 2024.

In respect of whether it is consistent with the commonwealth time line, I was informed by the minister's office that:

... under Australia's obligations to the Ramsar Convention, encapsulated in Schedule 6 of the *Environment Protection and Biodiversity Conservation Regulations*, every Ramsar site needs an individual plan of management in place, to be reviewed at intervals of AT LEAST seven years. The plan prepared by the ACT would serve this purpose. The ACT Ginini Flats Wetland Management Plan and 7 year review timeframe will satisfy the Commonwealth legislative obligations.

I understand that most jurisdictions have not embedded Ramsar reporting arrangements into their own legislation, so the reporting occurs through administrative practice rather than in a statutory program. It seems that, in practice, again according to the directorate, there is significant variation, of between five and 10 years, to the reporting framework, with many plans written in the 1990s yet to be reviewed. The amendment in this bill proposes to amend the embedded time frame in ACT legislation to seven years to link in with the minimum reporting period under the commonwealth regulations. We do not oppose those proposed policy amendments.

I now turn to the technical amendments proposed in the bill. Clause 13 fixes up a drafting oversight in the Environment Protection Act with respect to notice of environmental audits.

Clause 16 amends the Nature Conservation Act with the intention that an exception to certain offences was clearly intended to extend to a conservation officer's duties or to a person acting under a nature conservation licence.

Clauses 5, 6, 21 and 22 make amendments to the Climate Change and Greenhouse Gas Reduction Act and the Water Resources Act to make provision for reporting in the caretaker period so that it is consistent with the procedure set out in the Annual Reports (Government Agencies) Act. We do not oppose these amendments.

Other technical amendments impacting on the Electricity Feed-in (Large-scale Renewable Energy Generation) Act, the Water Resources Act and the Water Resources Regulations are introduced as a consequence of recent and possible future changes to council names in New South Wales.

In order to get around any further changes to councils listed in the original acts, the amendments in the bill define geographic regions rather than specific council names. This is a sensible approach and will prevent the need to come back again to the

Assembly in the event that other council mergers or name changes occur within the relevant catchment areas referenced in the various acts. Madam Deputy Speaker, we support these amendments.

The bill also takes the opportunity to streamline membership of various coordination groups specified in these acts. The names of some of the directorates listed in the acts are out of date as a result of changes to the administrative arrangements.

Clause 23 amends the Water Resources Act 2007 so that the coordination group includes directors-general of the directorates responsible for legislation prescribed by regulation, which provides some flexibility for changes in administrative arrangements. Madam Deputy Speaker, we do not have any objections to these proposed amendments.

I take the opportunity to reiterate Ms Lawder's earlier comments in relation to the delays that we have received in getting a briefing. I remind the government that if it is their intention, as I am sure it is, to have some robust great debate on these bills, we do need to have access easily to briefings.

In relation to the remaining aspects of the bill, including some proposed amendments to the bill, I will leave it to my colleague Ms Lawder to outline and speak on them in the detail stage.

MR RATTENBURY (Kurrajong) (11.51): I rise to speak and provide comments on a few of the amendments that this bill will make on a range of measures. Firstly, I would like to note that the amendments that relate to the energy efficiency improvement scheme make important changes to enhance the information sharing between the ACT government and other jurisdictions. Ms Lee just spoke about this matter. Notably, this will allow compliance information to be coordinated between the ACT and the federal Clean Energy Regulator, who administers the federal emissions reduction scheme. The sharing of information works to maintain the integrity of both schemes. With financial benefits available to those participating in the scheme, there is a need to protect against those who may seek to double-dip in both the federal and ACT schemes. And this is designed to assist in ensuring that that does not happen.

I note that the EEIS has been highly successful. As at the end of last year over one million energy saving devices had been installed in Canberra homes. These devices include replacement light globes, double glazed windows, draught seals and the replacement of inefficient hot-water heaters and refrigerators. These devices have been installed in over 76,000 Canberra homes, including approximately 20,000 low income households. One of the great benefits of making improvements to energy efficiency is the ability to reduce the energy costs of households and businesses. It really is the classic win-win outcome for both the environment as well as people's hip pockets.

I note that the bill also makes amendments to the Climate Change and Greenhouse Gas Reduction Act 2010 and the Water Resources Act to provide clarity in the reporting timelines for the ACT's Climate Council and the catchment management

coordination group. The bill also updates the Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011 to reflect changes to New South Wales council names following recent amalgamations. This of course is a minor but nonetheless important amendment.

I also support the amendments to the Environment Protection Act, the Nature Conservation Act and the Water Resources Act which provide minor and technical changes that will improve the consistency and applicability of the legislation. As Ms Le Couteur indicated, the Greens will be happy to support this bill today.

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) (11.54), in reply: I thank members for their input to this debate. I must say though that I am quite exasperated at the comments from Ms Lawder in regard to the work that my office has done with her office in the preparation of this bill. My office has spent a lot of time and effort in providing briefings for Ms Lawder's office—indeed, numerous pieces of correspondence and phone calls—and I have personally viewed pages of correspondence in regard to this bill that were passed to Ms Lawder's office in answer to questions that she put forward. To say that requests went unanswered is totally untrue and is offensive to the work that my office has done.

In regard to consultation with other parties, we acted quickly in responding to the North Canberra Community Council and the National Trust. And that is evidenced in the revised explanatory statement which I table now for the Assembly. It is quite distressing, I think, to hear such comments come from the opposition. While I say that, I thank members for their contributions during the debate.

This bill forms part of the government's ongoing actions to ensure that the territory's legislation is effective and up to date. The PABELAB process is an efficient method for making minor yet important changes to legislation in the Planning and Land Management, Environment and Heritage, and Climate Change and Sustainability portfolios. This bill makes amendments to the Climate Change and Greenhouse Gas Reduction Act 2010, the Electricity Feed-in (Large-scale Renewable Energy Generation) Act 2011, the Electricity Feed-in (Renewable Energy Premium) Act 2008 and—my favourite one—the Energy Efficiency (Cost of Living Improvement) Act 2012, which all fall within the Climate Change and Sustainability portfolio.

The bill also amends the Environment Protection Act 1997, the Heritage Act 2004, the Nature Conservation Act 2014, the Planning and Development Act 2007, the Public Place Names Act 1989, the Water Resources Act 2007 and the Water Resources Regulation 2007 which fall in my portfolios of Environment and Heritage, and Planning and Land Management. The bill makes two minor policy amendments and a number of technical and editorial amendments.

Today I would like to revisit the two minor policy amendments I discussed during the introduction of the bill and also discuss one of the technical amendments in the bill by way of example. Clause 12 of the bill makes a minor policy amendment to

section 28C of the Energy Efficiency (Cost of Living Improvement) Act 2012. Section 28C provides the power for the administrator of the energy efficiency improvement scheme to share compliance information with agencies running similar schemes in other jurisdictions. The energy efficiency improvement scheme, or EEIS, is an important means of reducing both energy costs and greenhouse gas pollution.

The ability to share compliance information relating to similar schemes between jurisdictions is an important power. It helps administrators of these schemes ensure compliance with the rules and that there is no double-counting of energy efficiency or greenhouse gas abatement measures in different jurisdictions. The amendment is necessary to ensure the integrity of both the EEIS and schemes in other jurisdictions. If the greenhouse gas abatement achieved by an activity is claimed under the two schemes then it does not represent additional abatement and the targets are not truly being met.

The act already contains the power for the administrator to share this compliance information. The amendment removes the restriction on the information sharing power to give full effect to the purpose of the provision which is to ensure that compliance information is able to be shared with relevant agencies in other jurisdictions.

The amendment in clause 12 changes the way in which compliance information can be shared with other jurisdictions with similar energy efficiency and greenhouse gas abatement schemes. This appropriately and proportionately broadens the number of agencies with which information can be shared. An example of this is the commonwealth carbon farming initiative. This scheme is administered by the commonwealth government and under the current drafting of the provision information cannot be shared. This opens up the possibility for double counting of activities under the EEIS and the commonwealth scheme, with no mechanism to undertake audit activities or ensure compliance. The amendment will ensure that the administrator of the EEIS will be able to share compliance information with the commonwealth to maintain the integrity of both schemes.

The next amendment I would like to discuss is in clause 15 of the bill. Clause 15 amends the time frame for reporting about Ramsar wetland management plans in relation to section 203 of the Nature Conservation Act 2014. Ramsar wetlands are wetlands of international significance which are important natural areas that warrant conservation and protection. Currently in the ACT there is one Ramsar wetland, being the Ginini Flats wetland complex. To conserve and protect such areas it is important that there are effective laws and processes that underpin their management.

The Nature Conservation Act establishes the processes and requirements for making Ramsar wetland management plans. This includes a requirement for the Conservator of Flora and Fauna to report to the minister about each management plan every five years. The bill amends this requirement to instead require that this reporting occur once every seven years. This amendment is made to align territory legislation with the requirement to review plans every seven years under the commonwealth Environment Protection and Biodiversity Conservation Act.

Aligning these two processes will make them more efficient and enable the sharing of resources. It will facilitate better-quality reporting and the implementation of management actions which will, in turn, help to achieve good conservation outcomes. This amendment does not affect the requirement for the conservator to monitor the implementation of a Ramsar wetland management plan and does not prevent the conservator reporting to the minister at other times if the need arises.

I would now like to briefly talk about some of the more technical amendments. Clause 17 of the bill contains an amendment to the Planning and Development Act 2007 that strengthens the consultation requirements when the custodian of an area of public land prepares a draft land management plan. The amendment adds the Environment Protection Authority, or EPA, as a person who must be consulted when preparing a land management plan.

Currently under section 321 of the Planning and Development Act, the Conservator of Flora and Fauna and the Planning and Land Authority are the two entities that must be consulted. It is important that the EPA is also consulted as, among other things, the EPA is responsible for contaminated land. Knowledge of contaminated land sites and advice on necessary management actions are important considerations that should inform land management plans. The EPA is currently consulted informally. However, it is important to formalise this process and ensure that it continues to occur as a matter of standard practice into the future. This is a sensible technical amendment to ensure efficient environmental land management.

Finally, clause 14 is a technical amendment to the operation of section 34 of the Heritage Act to ensure that it correctly reflects the decision-making process for provisional registration set out in other sections of the act. The current wording of this provision is such that an assessment against the heritage criteria must always be included in a notice of decision not to provisionally register a place or object under the Heritage Act. However, this is sometimes problematic, as there are circumstances when a decision not to provisionally register a place or object is made on another basis. In these circumstances, the decision is not based on an assessment against heritage criteria.

The council has discretion on whether or not to provisionally register a place or object. For example, the council may choose not to provisionally register a place under the Heritage Act where that place has natural heritage significance of a kind that is more appropriately protected under the Nature Conservation Act. In these situations there will not be an assessment under the heritage significant criteria. An assessment against the heritage criteria will be required to be included if it has in fact been conducted.

The amendments I have mentioned, along with others contained in the bill, will improve the operation of various elements of planning, building and environment legislation. Having effective legislation is vital to achieving good planning, environment and sustainability outcomes. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MS LAWDER (Brindabella) (12.03), by leave: I move amendments Nos 1 to 4 circulated in my name together [*see schedule 2 at page 2140*].

I circulated these amendments today to address the lack of consultation with the community by the government. They are reasonably simple and have a lot of support from community organisations which, I believe, have some knowledge and expertise in this area and which have expressed their concerns.

Our amendment to the Heritage Act leaves the current legislation intact and provides that the heritage assessment does not have to be undertaken if the place or object is protected under another territory law or if the application is incomplete. This is in response to concerns raised with us. I reiterate our dismay at the length of time it has taken to get information. If the minister genuinely wants support for these amendments, a better consultation process would be appreciated.

I repeat that we had 10 emails and five phone calls before a briefing was provided six weeks after we first requested it, on the Monday before the last sitting period, when this was expected to be debated. When it was not debated last sitting period, we had another briefing and we were told to send our questions by email, which we did. We got the answers to those questions back just after 5 o'clock last night, which makes it very difficult for us to analyse the response and provide support, if that is what the minister genuinely wishes.

With regard to the Public Place Names Act, I would like to thank Mr Milligan for the information that he provided and point out that during the changes this week to the elected body act we heard the concerns of the United Ngunnawal Elders Council, who expressed the opinion that an appropriate cultural group might mean an inappropriate individual, and they had the elected body act further amended to require the elected body in their consultations to provide an explanatory statement of why they chose that appropriate cultural group.

We have also heard this week that members of the Indigenous community have been deeply offended by the words and actions of the Chief Minister and the health minister, and part of the reason for that offence is that there was a perception that the whole consultation process around the elected body, around the Ngunnawal bush healing farm, around Boomanulla oval, was all just for show. The Indigenous community have indicated to us that they are tired of words and hollow consultations without real action. In this particular instance, the proposed amendments in Mr Gentleman's PABELAB water down even further the requirements for consultation, let alone meaningful action as a result of that consultation.

We believe the changes to the Public Place Names Act are just another example of the government watering down their requirements to consult with our Aboriginal and Torres Strait Islander community. Our amendments that we have brought today are about responsiveness to the needs and the wishes of the community when it comes to changing legislation that affects them. We believe best policy is reached when consultation is broad and thorough. That is the best way to avoid unintended consequences of changes to legislation. These amendments are in response to community councils, the National Trust and other organisations. I commend the amendments 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) (12.08): The proposed new clause 13A is the first one that I will talk to. The government does not support the amendment in proposed new clause 13A to insert a new section 29(1)(a)(iii). The amendment put forward by the opposition in clause 13A duplicates the existing provision of the Heritage Act. The content of the proposed subsection (iii) is already covered by the wording in the existing section 29(1)(a)(i) of the Heritage Act, with the Heritage Council already having the ability to dismiss an application where it is lacking in substance, that is, where the nomination application does not contain enough information for an assessment to be made. Therefore this is an unnecessary amendment, as the existing provisions of the act already provide for this circumstance.

The government does not support the amendment in the proposed new clause 13B to insert a new section 32(3) in the Heritage Act. The new section 32(3) proposes an amendment to the provisional registration decision-making power in the Heritage Act. The government's original amendment in clause 14 of the bill does not amend decision-making powers. The government does not support making a change to a decision-making power without consulting more broadly with key heritage stakeholders and the community. The government believes the amendment put forward by the opposition goes beyond the scope of the current minor omnibus amendment bill before the Assembly. If we talk about consultation, there is a good example there.

On the proposed amendments to clause 18, the public names amendment, the government does not support the proposed amendments to clause 18 of the bill. The government originally proposed the amendment in clause 18 to deal with the fact that the current prescribed entity to be consulted on the use of Aboriginal and Torres Strait Islander vocabulary in public place names no longer exists.

The prescribed entity is the Aboriginal and Torres Strait Islander Commission, commonly known as ATSIC. After a process of research and consultation a single replacement national body that has the capacity and authority to be responsible of providing responses on behalf of the Aboriginal and Torres Strait Islander community has not been found. Specifically, the Australian Institute of Aboriginal and Torres Strait Islander Studies, or AIATSIS, and the ACT's Aboriginal and Torres Strait

Islander Elected Body have indicated that they are not the appropriate bodies to be consulted. Further, the Aboriginal and Torres Strait Islander Elected Body has indicated its support for the specific amendment put forward by the government.

In drafting the amendment in clause 18 the government considered the fact that the place names are taken from Aboriginal and Torres Strait Islander languages around the country and it is not possible to compile a comprehensive list of every group that might potentially be appropriate to consult. With this in mind the government drafted the amendment to ensure that consultation takes place with the most appropriate cultural group that is relevant to the particular word being considered for use as a public place name.

MS LE COUTEUR (Murrumbidgee) (12:11): I will speak only very briefly as I spoke substantively earlier. The Greens will not be supporting these amendments. From the Heritage Act point of view we think that this is not introducing a new loophole. It is just tidying up the existing situation. From the place names point of view, as I said before, I think it is an unfortunate situation that there is not an obvious appropriate body. In the circumstances I think what the government has written is really as good as can be done.

Amendments negatived.

Bill, as a whole, agreed to.

Bill agreed to.

Leave of absence

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

That leave of absence be granted for all Members for the period 9 June to 31 July 2017.

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

That leave of absence be granted to Mr Gentleman for the period 1 to 3 August 2017 to attend meetings in Singapore.

Papers

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (12.13): For the information of members, I present the following papers:

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

ACT Supreme Court—Travel Allowance for the Associate Judge—Determination 6 of 2017, dated April 2017.

Full-Time Statutory Office Holder—City Renewal Authority (Chief Executive Officer)—Determination 10 of 2017, dated April 2017.

Full-Time Statutory Office Holders—Suburban Land Agency (Chief Executive Officer)—

Determination 8 of 2017, dated April 2017.

Determination 15 of 2017, dated 30 May 2017.

Full-time Statutory Office Holders: Auditor-General, Clerk of the Legislative Assembly, Electoral Commissioner—Determination 13 of 2017, dated May 2017.

Land Development Agency—Determination 11 of 2017, dated April 2017.

Part-time Public Office Holder—

City Renewal Authority Board—Determination 9 of 2017, dated April 2017.

Suburban Land Agency Board—

Determination 7 of 2017, dated April 2017.

Determination 14 of 2017, dated 30 May 2017.

Part-time Statutory Office Holder—Public Sector Standards Commissioner—Determination 12 of 2017, dated May 2017—

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

Leave granted.

MR BARR: I present the Remuneration Tribunal's determinations 6 through 15 of 2017. These are tabled in accordance with section 12 of the Remuneration Tribunal Act 1995, which requires the tabling of all determinations.

I would like to draw to members' attention that the tribunal has revoked determinations 7 and 8 of 2017 in relation to the suburban land agency board and the chief executive officer, as the tribunal has issued new determinations 14 and 15 of 2007.

The tribunal considered the statutory positions of chief executive officer and suburban land agency board members on 29 March 2017, which was directly before the City Renewal Authority and Suburban Land Agency Bill was introduced to the Assembly on 30 March 2017. The tribunal issued determinations 7 and 8 in April as a result of their deliberations. These determinations were contingent on the roles and responsibilities of the positions not being materially altered during the passage of the bill.

Members will recall that the City Renewal Authority and Suburban Land Agency Bill was debated in the Assembly, and following a number of significant amendments, it was passed on 11 May 2017.

The tribunal has considered the legislative changes made by the Assembly, which significantly altered and expanded the complexity and scope of the agency's responsibilities and functions from those in the initial bill proposed by the government. The tribunal has subsequently issued new determinations 14 and 15 of 2017 to reflect these changes in the City Renewal Authority and Suburban Land Agency Bill.

Annual report directions 2017-2018

Paper and statement by minister

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events) (12.16): For the information of members, I present the following paper:

Annual Reports (Government Agencies) Act, pursuant to subsection 8(5)—
Annual Reports (Government Agencies) Notice 2017—Notifiable instrument
NI2017-280, including the Chief Minister's 2016-2017, 2017-2018 Annual
Report Directions, dated 30 May 2017.

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

Leave granted.

MR BARR: The 2017 annual report directions remain consistent with the previous directions and facilitate concise annual reports through whole-of-government reporting, reporting by exception and combining sections to focus on narrative.

On the whole, the reporting requirements of the 2017 annual report directions remain consistent with those of previous directions. Amendments have been made on the basis of feedback from directorates and public sector bodies, with reporting requirements updated to improve the effectiveness of whole-of-government reporting to ensure consistent reporting across directorates in public sector bodies.

In summary, the main changes between the 2017 annual report directions and the previous directions are the addition of further information to provide clarity on specific annual reporting requirements; the correction of inaccuracies regarding the role of the ACT Audit Office; the promotion of online annual reports, including a reduction in printed material; the addition of the requirement to report special employment arrangements and Australian workplace agreements, along with attraction and retention incentives; an update to public interest disclosure reporting requirements to protect the identity of disclosers; and, at the request of the Aboriginal and Torres Strait Islander Elected Body, the addition of an Aboriginal and Torres Strait Islander reporting requirement to capture annual progress in relation to programs, projects and initiatives that benefit Aboriginal and Torres Strait Islander peoples in the ACT in the one location in each annual report.

The directions also include amendments to the declaration of public sector bodies made under section 7 of the Annual Reports (Government Agencies) Act. Under

section 7, I may declare that a public sector body must prepare an annual report. The following changes have been made to the declaration. Icon Water Limited is responsible for preparing a stand-alone annual report. The Government Schools Education Council and Non-government Schools Education Council no longer have annual reports annexed to the Education Directorate annual report. The Mental Health ACT official visitors area no longer has information subsumed within the Health Directorate annual report.

Annual report information of the Public Advocate of the ACT and Victims of Crime Commissioner is now incorporated into the Human Rights Commission annual report. Annual report information from the ACT Veterinary Surgeons Board and the Animal Welfare Authority is now subsumed within the Transport Canberra and City Services Directorate annual report. Housing ACT's annual report information is subsumed within the Community Services Directorate annual report.

Madam Speaker, these directions will run for a period of two years, covering the 2016-17 and 2017-18 annual reporting periods.

Papers

Mr Barr presented the following paper:

Territory-owned Corporations Act, pursuant to subsection 19(3)—Statement of Corporate Intent—Icon Water—2017-18 to 2020-21, dated 16 May 2017.

Mr Gentleman presented the following paper:

Ngunnawal Bush Healing Farm—Block 241 Paddy's River, pursuant to the resolution of the Assembly of 7 June 2017—Crown Lease, including an application to vary a Crown Lease, chronology of lease purpose clause changes, and permitted uses under the Territory Plan.

Mr Ramsay presented the following papers:

Electoral Act, pursuant to subsection 10A(3)—ACT Legislative Assembly Election 2016—Report—Government response.

Auditor-General Act, pursuant to subsection 21(1)—Auditor-General's report No 2/2017—2016 ACT Election—Government response.

ACT Criminal Justice—Statistical Profile 2017—March quarter.

Safer families

Ministerial statement—amendment

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) (12.22), by leave: In my earlier safer families statement, I said that the government made a \$4.595 million investment in the first

year. The figure was higher and should have been \$4.669 million. The figures were amended at the last minute and up-to-date figures were not represented in my statement. The correct figures, however, are in the budget papers. I want to table an amended statement to ensure that the correct figures are represented.

I present the following paper:

Safer Families—Annual Statement 2017—Amended ministerial statement, dated 8 June 2017.

Paper

Mr Gentleman presented the following paper:

Petition—out of order

Petition which does not conform with the standing orders—Waramanga Shops—Playground, barbecue and recreational areas—Mr Steel (377 signatures).

MR STEEL (Murrumbidgee) (12.22), by leave: I am pleased that we were able to table this petition in the Assembly today on behalf of Elizabeth Hoyt and the almost 400 residents of Waramanga who signed it to support a new playground in Waramanga near the Waramanga shops. I would like to commend Elizabeth Hoyt, who has worked hard to build support in the Waramanga and Weston Creek community for the playground project, for her work in developing a detailed proposal to government.

Management from city services met with Ms Elizabeth Hoyt and a representative from Weston Creek Community Council at the Waramanga shops to discuss a proposal for a new playground. The government will continue to engage with Ms Hoyt on the project as she continues to build community support. I look forward to continuing to work with her and the Waramanga community on the project.

Sitting suspended from 12.23 to 2.30 pm.

Questions without notice

Gaming—conflict of interest

MR COE: Madam Speaker, my question is to the Minister for Regulatory Services. Minister, the Victorian gaming minister has ruled out any meeting with Stephen Conroy, because there is “a clear conflict of interest between his job as a gaming lobbyist and his party activity”. Former Prime Minister Kevin Rudd called the conflict “unacceptable and unethical”. Minister, why is this government not applying the same standard for conflict of interest that is being applied in Victoria and federally?

MR RAMSAY: I thank the member for his question. The government is particularly attuned to issues of conflict of interest and is particularly attuned to transparency. The government will continue to meet with organisations. We are already a particularly compliant jurisdiction here in relation to the register of lobbyists. I note that there are

a number of areas in which we have a very transparent way. There is a select committee that is working at the moment in terms of matters around integrity. We will work with those and we will continue to consult broadly and appropriately.

MR COE: Minister, have you assessed who within the ACT government is conflicted by being a beneficiary of gaming activity and having a role in government?

MR RAMSAY: I will take that on notice.

MR PARTON: Minister, will you, like your Victorian and federal counterparts, rule out any meeting with a person involved in both party activities and the gaming industry due to the “clear conflict of interest”?

MR RAMSAY: I will continue to work within the legislation, as is appropriate, and the compliance regime that we have at the moment.

Parliamentarians—legal fees

MS LE COUTEUR: My question is to the Attorney-General. It relates to the government covering the legal costs of Mr Jeremy Hanson being sued for defamation by Dean Hall from the CFMEU. Minister, has the government agreed to pay Mr Hanson’s legal fees for this case? If so, is there a cost estimate and expenditure cap for these costs?

MR RAMSAY: As has been my practice in the past with a matter that is before the courts, I do not think that it is appropriate to discuss in any way a matter before the courts or a matter regarding an individual.

MS LE COUTEUR: Attorney, has the government got a policy about the payment of legal fees for MLAs, and has the government previously covered legal fees for MLAs?

MR RAMSAY: There is provision within the guidelines for the provision of legal assistance to ACT ministers and members in relation to legal proceedings. There are also other ways in which matters can be covered under territory insurance arrangements if a liability does arise out of the performance of a member’s official duties. That has occurred in the past and it may well occur again in the future.

The amounts and the terms of assistance are determined as appropriate in the circumstances, and my approval for the assistance in relation to those is fundamentally about ensuring there is good access to justice that is appropriate in the particular circumstances.

MR STEEL: Minister, you mentioned access to justice. How does the government ensure access to justice for the whole community?

MR RAMSAY: I thank the member for his question and his concern about access to justice. Obviously, legal help in any context is fundamentally about good access to

justice. Justice, as I have said before, is only truly justice when it is accessible, when it is transparent and when it is timely. This year's budget certainly reflects a focus on access to the legal system and ensuring especially that access for vulnerable members of our community.

As just one example, I can proudly say that the budget provides an extra \$1.239 million over four years towards the base funding cost for the Legal Aid Commission. That will help them to meet the demand for services that exist there. Resourcing for legal aid ensures that people who need legal representation and who are not able to afford a lawyer have help when they are before the courts.

In addition, this particular budget also delivers for the community legal centres, which we have spoken about, and that I have advocated strongly for. The CLCs will get an additional \$2.477 million over the coming four years to continue providing help to those people who need it most. That help might be when there is a dispute with Centrelink, when there is a letter sent and Centrelink does not get the information right, as has been the case. It is important to be able to write a letter back, and the community legal centres can help with that. It might be about negotiating a payment plan with a landlord in relation to settling unpaid rent. There is a range of legal remedies, and it is important for people to be able to have access to justice.

This budget helps to create and develop a justice system that is more accessible to those who need the protection of our justice system. It is yet another way that the government is delivering on its commitments and ensuring that we have a community that is protected, that is safe and is secure.

Budget—employment

MR STEEL: My question is to the Chief Minister. Chief Minister, how will the 2017 budget strengthen Canberra's economy and help create more good, local jobs?

MR BARR: I thank Mr Steel for the question. The government continues its efforts to support economic growth and jobs growth in the city, and we are delighted that our economic growth in this financial year is expected to hit 3¼ per cent. This is much stronger than has been experienced across the rest of the nation, where growth is expected to be, at a national level, around 1¾ per cent in 2016-17.

One of the reasons the ACT economy is growing so strongly is that it is more diverse and export oriented than ever before. I am please to advise the Assembly that between 2010-11 and 2015-16, the territory's service exports grew by over 65 per cent. This is far and away the fastest rate of growth of service exports of any state or territory in Australia. Our city represents 1.6 per cent of Australia's national population, but we are now generating 2.5 per cent of Australia's service exports. This is a tremendous result. Exports have grown from \$1 billion to \$1.7 billion over the period I referred to earlier, driven particularly by growth in our higher education sector, in tourism, in technical and professional services, in research and development and in the export of government services.

We continue our focus on an export led economic growth strategy for the territory by further investments in this budget to back our local exporters. We are continuing to expand the ACT's high impact innovation programs, supporting key industry sectors to develop their strengths, their trade and their investment facilitation opportunities. The programs to connect Canberra companies with the world and to bring more business to our city will help maintain these very high levels of growth into the future.

MR STEEL: How will the 2017 budget back the 26,000 Canberra based businesses that employ local workers and contribute to the ongoing diversification of our economy?

MR BARR: Again, it is a very simple proposition that a city of our size, 400,000 people, will not grow rich and add to our wealth by buying and selling from ourselves. That is why we simply must be more nationally and internationally engaged. We seek to support our exporters. We seek to support the growth of those service industries where we have a comparative advantage.

Higher education is a very good example of this. Service exports have increased. Nearly one in three of the dollars we earn in this city from exports come from our higher education sector. This sector is poised for rapid growth into the future. The ACT government is making a series of strategic investments in the higher education sector—through our partnerships particularly with the University of Canberra but also with the ANU, the University of New South Wales Canberra, the Australian Catholic University and our own Canberra Institute of Technology—to further develop the higher education sector for our city. It is a priority. We want to see more international students in our city. We want to see more Australian students coming to Canberra to study.

One in nine Canberrans either work or study at one of our city's higher education institutions. There are 16,000 people employed. It is a real growth engine for the ACT economy and one that the territory government will continue to support over the coming years. I look forward to making a range of further announcements in the coming 12 months that will further demonstrate our commitment to growing higher education in Canberra.

MS CODY: Chief Minister, how is the ACT government continuing to make the territory's tax base fairer, more stable and more efficient through stage 2 of the government's significant tax reform program?

MR BARR: The government's first stage of tax reforms involved the abolition of all tax on insurance in the ACT, with the ACT becoming the first state or territory to completely abolish tax on all insurance products. We are also now significantly advanced in our program of stamp duty reductions, focusing particularly on the affordable end of the housing market.

We increased the territory's payroll tax-free threshold to \$2 million. This is the highest threshold of any state or territory in Australia. This means that 23,500 of the

26,000 businesses that operate in this territory pay no payroll tax at all. This is a distinct advantage for ACT small and medium-size enterprises.

It demonstrates our commitment to simpler, fairer and more efficient taxation arrangements, as recommended by about 40 different reviews of the Australian taxation system over the past five decades, most recently the Henry tax review. It again recommended that state and territory governments move away from inefficient taxes like stamp duty and insurance taxes and move towards the simplest, fairest and least distortive tax available to any government in this country.

That is a broad-based land tax. It has the least impact on economic activity; it is impossible to avoid; and it is the fairest tax available to any government in this country. Anyone who looks objectively at taxation reform can only conclude that inefficient transaction taxes that disrupt economic activity, that result in a dead weight loss, a loss of hundreds of millions of dollars of economic activity, should be avoided. We should move away from those taxes and we should move to broad-based land taxes.

This government is the one government in this country making a serious effort to do this. Even Prime Minister Turnbull acknowledged that it was the right reform. He also acknowledged the political difficulty of it but applauded our efforts. (*Time expired.*)

Crime—parole review

MR HANSON: My question is to the Attorney-General. The Prime Minister has called for “serious reforms of parole laws” as a “high priority” for state and territory governments. Attorney-General, will you review parole laws in the ACT, and if you will, when will you do so?

MADAM SPEAKER: The question will be taken by the justice minister.

MR RATTENBURY: I have obviously been apprised of the Prime Minister’s comments this week and have been reflecting on the circumstances. What I can say is that the ACT over recent years has undertaken a number of reviews of our bail laws. It is something we are constantly aware of and, certainly in light of a number of high-profile incidents in recent years, bail issues in the ACT have been reflected on and reconsidered by my directorate. I am happy to provide particulars to Mr Hanson on notice if he wishes, but I cannot think of the dates to provide off the top of my head.

MR HANSON: I am not sure whether it is to the Attorney-General or Mr Rattenbury, but I will ask the question anyway. Will you now review the operation of bail laws in the ACT, following the Prime Minister’s call, which was for a review of parole laws?

MR RATTENBURY: I offer similar comments to my previous ones, which were that there has been effort put into these areas in recent years. I am happy to provide the details to members on notice.

MRS DUNNE: Minister, will you undertake to keep full and proper records of people who reoffend while on bail or parole, which has not happened to date, despite the calls by the Canberra Liberals to do so over more than five years?

MR RATTENBURY: As Mrs Dunne well knows—and I agree with her—the opportunity to extract records from our criminal justice system in recent years has not been what we would expect it to be. But, as Mrs Dunne also knows, the government has made an investment in recent budgets to upgrade the database system of ACT courts. I would certainly have an expectation that we would have a better level of data coming out of that to give us an ability to look more accurately at a range of measures. I am happy to take her request on board.

Sport—women’s participation

MS CODY: My question is to the Minister for Sport and Recreation. Minister, can you please update the Assembly on how you are delivering on the government’s commitment to support greater participation of women and girls at all levels of sport?

MS BERRY: I thank Ms Cody for her question. We have had a great year for women’s sport, both here in the ACT and nationally. But this has not happened by accident. The ACT government has set a goal to build more support and opportunities for women’s and girls’ participation in sport and recreation.

We have set this direction for a couple of key reasons. Participation data consistently shows that girls often move away from sport in their teens, and we need to turn this trend around as a means to better physical and mental health as they move into adult life and create a lifelong love of active living and sports participation. The second reason is that sport offers a vehicle to improve equity and culture around gender right across our community. There are so many great leaders and role models in our local sports community and the government know that with their help we can reach out and empower more people to understand and embrace the need for gender equity.

This has been a consistent priority of the ACT government and of mine. Some of the positive steps we have taken on this agenda include coordinating a big “women in sport” week leading into the Giants AFL women’s game and Giants netball playing their first matches ever in the ACT. This year we have ensured that available funding within the national league team program was, for the first time, split evenly between male and female teams. Last week I was pleased to visit the recently completed Gowrie neighbourhood oval pavilion, along with Mr Gentleman, which included refurbishment with a focus on being female friendly through the provision of individual cubicles for showers and toilets within the change rooms.

MS CODY: Minister, what new initiatives is the government doing to continue this important work?

MS BERRY: The government took extensive commitments in this area to the election last October, and this week’s budget puts those into motion.

The government will increase funding support for women's sport. Most notably, this includes establishing four-year funding agreements with both the Canberra Capitals basketball team and Canberra United women's football team. These agreements are a major change to the way the government approaches elite sport. They give both teams greater certainty around planning, recruiting and player development, closer to that of our elite men's teams; they offer a means for securing better sponsorship deals; and they will help grow both the Caps' and United's presence in the community and their prominence for junior players.

A further \$1 million is in the budget for programs which will work to encourage and empower women and girls at all levels of sport over the next four years: \$500,000 for female-friendly sports infrastructure; \$400,000 in incentive funding for sports to lead on gender equity; and \$100,000 for a new female sport online hub at HerCanberra.

The buy-in of the Canberra sports community around this work has been great. I have no doubt that they will keep pushing ahead for positive change and the government looks forward to working with them as these initiatives are implemented.

MS CHEYNE: Minister, how do these initiatives further the government's commitment to gender equality?

MS BERRY: I have pointed to the fact that the government's work in the sport portfolio is part of a broader picture. The ACT government continues to lead reforms for gender equity and health, equal rights, and domestic and family violence. We have funded participation in sports broadly equitably but this is a new level of commitment in elite sport administration, infrastructure and online.

The government is committed to continuing its work on building the most inclusive and equitable city we can. As I said this morning in my ministerial statement on safer families, governments can provide the leadership and the funding but it takes the whole community to create real change. Just recently I launched the women's action plan, which outlines a range of actions the government will deliver on under the theme of health and wellbeing.

Clearly sport and recreation has a connection with this work. It contributes to the social inclusion, safety, health and wellbeing of ACT women. Its power as an enabler of these things is something that the government should always be looking to unleash. As you chat with people across different sports and different walks of life, there is a real understanding and an opportunity to embrace these opportunities.

The need to pursue gender equity will continue across the government's portfolios. It is good to be able to show such strong progress in sport and recreation.

Trade unions—memorandum of understanding

MR WALL: My question is to the Chief Minister. During estimates last year you were asked a question regarding what benefits the MOU with UnionsACT has brought to workers. Your response stated:

It has ensured that dodgy businesses are not winning ACT government contracts.

Despite the MOU, the media has reported on a series of “dodgy businesses” engaged by the ACT government. Chief Minister, can you explain specifically how the MOU is preventing “dodgy businesses” from being awarded contracts by the ACT government?

MR BARR: During the procurement process, via early engagement with key stakeholders and examination of the history of various companies and the history of various individuals who are the principals of various companies, that greater exposure, particularly earlier on, acts as an important safeguard against phoenix companies, and those that have a very poor track record in other jurisdictions and here in the ACT, who close a particular business and then re-emerge with a new name but largely the same people behind the business.

Whilst no system is absolutely perfect, there is an added benefit of more sets of eyes on the procurement process through the early engagement with key stakeholders, and not just with unions but also with various industry association peak bodies. I note that those peak bodies seem to take up the opportunity of that engagement in the procurement process far more than their union counterparts, and I note also that from time to time those opposite take an interest in procurement policies and particular individual procurements; and sometimes I wonder why. Later, I find out.

MR WALL: Chief Minister, are you aware of any “dodgy businesses” that were prevented from being awarded a contract or contracting to do work for the ACT government because of the MOU?

MR BARR: I think that when this matter was canvassed, at great length I must say, during both estimates and annual reports hearings, the relevant procurement officials went through in some detail with Mr Wall and some of his other colleagues the process under which they engage with stakeholder groups and the outcomes of that engagement.

I certainly recall the head of procurement giving a definitive answer in relation to Mr Wall’s question. He should perhaps check the record in relation to what the official said because, as Mr Wall would be aware, I do not have a personal role in procurement decisions. Ministers do not and that is a very good public policy position.

MS LEE: Chief Minister, what are the performance measures used to determine whether the MOU is delivering its purported benefits?

MR BARR: The government seeks to work constructively with a range of stakeholders across a range of areas as they relate to procurement policy, to workplace safety issues and to other areas where the government is a procurer of goods and services. There are many different measures. Those are outlined in annual reports and in the budget papers each year. A key measure of recent great interest to the broader community has been significant improvement in policies that can ensure ongoing

significant improvement in the safety of our workplaces. That is something that one would hope would sit above politics. But nothing about this opposition surprises me in the context of their capacity to want to bash the union movement all the time. The serial offender there is the former leader, Mr Hanson, whose efforts mean that he finds himself right now in a somewhat tricky legal situation.

Environment—container deposit scheme

MS CHEYNE: My question is to the Minister for Transport and City Services. Minister, how is the government delivering better suburbs for Canberra? In particular, how will our environment and local community groups benefit from the introduction of a container deposit scheme in the ACT?

MS FITZHARRIS: I thank Ms Cheyne for her question and for her very strong and ongoing interest in, in particular, reducing waste in the territory. As we know, the Barr Labor government is delivering in this year's budget on its election commitments to deliver better suburbs for all Canberrans. Our \$23.3 million better suburbs package includes the government's commitment for a container deposit scheme in the territory to encourage more Canberrans to do the right thing with their leftover drinking containers. From early next year, Canberrans will be able to hand in their old containers for cash reimbursement.

Drink containers make up more than a quarter of the volume of all litter in the ACT, and this scheme will help protect the environment and improve the look and feel of our city.

Our government recognises the significant impact that litter has on the natural environment, on our local parks and playground and on the waterways of our bush capital. Litter from drink containers, particularly glass, can cause injuries to people, and the presence of litter can have flow-on effects to other antisocial behaviour, for example, graffiti. The container deposit scheme is expected to reduce litter in our public spaces and waterways.

The CDS works on littering behaviour in two important ways: firstly, by encouraging the person consuming the drink to hold on to the empty container for later redemption; and, secondly, by providing an incentive for other people to pick up litter containers to receive the refund.

The New South Wales government is implementing a CDS from 1 December this year, and the ACT government is working closely with New South Wales to ensure that the schemes are harmonised when ours starts early next year. The scheme will cover most beverage containers between 150 ml and three litres. Eligible containers will be able to be returned to collection points for a 10c refund. We will be working to facilitate the establishment of a network of container collection points right across the ACT, and the ACT will work with New South Wales to ensure that containers purchased in the ACT can also be returned to New South Wales collection points and vice versa.

I am sure there are many local community groups looking forward to the opportunity to raise funds. (*Time expired.*)

MADAM SPEAKER: It is getting very close to time.

Ms Cheyne: I am in your hands, Madam Speaker.

MADAM SPEAKER: I think, with the will of the Assembly, we may not take that supplementary. I know you are disappointed, Minister. My clock is saying 10 seconds before three. Is that acceptable to you, Leader of the Opposition?

Mr Coe: Yes.

It being 3 pm, questions were interrupted pursuant to the order of the Assembly.

Appropriation Bill 2017-2018

[Cognate bill:

Appropriation (Office of the Legislative Assembly) Bill 2017-2018]

Debate resumed from 6 June 2017, on motion by **Mr Barr:**

That this bill be agreed to in principle.

MR COE (Yerrabi—Leader of the Opposition) (3.00): Canberra is the best place in the world, and I have been fortunate to have spent my whole life here. I love our suburbia. I love the access to bushlands and open space and the proximity to local shops, town centres and our lakes. My family, like so many Canberrans, loves living here. There is no better place.

But we must not be complacent. We must be vigilant in making sure that Canberra continues to be the place that we want it to be. We must make sure that our city is affordable and welcoming to all. We must make sure that there are employment opportunities, housing options, choices in education, the best health care, and that Canberra is a safe community. We, as members of the Legislative Assembly, must do all we can to make Canberra the best place it can be.

This week Mr Barr presented his sixth ACT budget. It was not a budget designed in the best interests of all Canberrans. It was not a budget designed for the basic needs and wants of residents across the city. And it certainly was not a budget designed to crack down on the sorts of dealings that have plagued this administration.

The ACT government's total revenue from all sources in 2017-18 will be \$6.2 billion. Total expenditure on operations and non-financial assets will be \$6.7 billion. For the first time in ACT history, revenue will exceed \$6 billion. Revenue has increased by 58 per cent in the last 10 years.

This is simply not the result of population and economic growth alone but reflects

massive increases to rates, land tax, parking fines, parking fees, levies, payroll tax and numerous other government charges. Despite this massive increase in revenue, the government will produce a fiscal deficit of \$485 million next financial year. The interest bill on our debt next year alone will be \$194 million.

In 2012, when the ACT government implemented its tax reforms designed to move away from stamp duty to rates, the total take from stamp duty, rates, land tax, insurance levy and the fire levy was \$663 million. Now, five years on, this tax mix has increased to \$958 million. The 44 per cent increase is hurting Canberrans. In fact, stamp duty, despite supposedly being phased out, will bring in more money next year than it did in 2012.

Rates again are on the increase in this budget, by far more than many residents can afford. Over the past few years household rates have increased by an average of 10 per cent per year. The unfair changes for unit owners mean that they will soon be paying considerably more. Meanwhile, many small businesses are struggling with skyrocketing commercial rates. Canberrans are being gouged. The rate hikes are not fair. The specific changes to rates for unit holders are not consistent with a government that claims to want higher density. Rates are tripling. Home owners are being squeezed tighter and the government is therefore driving up the cost of rent in Canberra.

In the past week, a new national study focusing on first homebuyers uncovered that there was not one affordable suburb in the whole of the ACT. This is what we have come to, and it is not a good sign for the future. It is no wonder that many people who would otherwise love to buy a house or a block of land here in Canberra are moving across the border where the cost of land is about half of that in LDA estates.

We have a planning system that is too complex. Our system does not encourage innovation, affordable housing, density in key areas or good design. In fact, the system does the opposite. The system promotes a cookie-cutter approach, price gouging and empty buildings in the city, while apartments are built on the fringe away from services and hospitality.

Our planning system and land release program are driving up the cost of housing. Who is responsible for this situation? Surely the ACT government must take some responsibility, given they have had control of land release, the planning system, lease variations and infrastructure development for 16 years.

The Canberra Liberals know that people are the drivers of our economy, not government. Rather than having a government be the determinant of success, we want to reward risk takers. We want to make Canberra a place where people feel like they are rewarded for effort, they can take calculated risks, they can provide products and services and build businesses.

I think that payroll tax is counterintuitive to growth. It is counterintuitive to prosperity and importantly it is counterintuitive to employment. We need to have a strategy to make Canberra the most competitive place to employ people regardless of the

business size. We want small businesses to become bigger businesses and employ more Canberrans, and we want more people to feel confident in starting a business in the capital. However, at present, there are a lot of barriers in place. Businesses must be confident if they are to make investments in our city, and this involves the removal of nuisance regulations.

The Canberra Liberals recognise that education is a key driver of employment, wellbeing and democracy. We will be playing an active role in debate about the future of education. The Auditor-General's report last week shows that changes need to be made. Unfortunately I do not think the government appreciates the seriousness of the problem or what needs to be done to fix it.

There are three crucial areas that need to be improved: how our schools are run, the curriculum and support of teachers. We need to bring far more thought to education and not rely on the old response of just spending more money. We need to ask questions about all aspects of schooling. Are our schools organised in the most effective way? Is the curriculum appropriate? Are we empowering teachers or burdening them with administration? Are we empowering schools to create a strong and healthy culture? To answer these and many questions, we need to consider educational research and the systems in place in other parts of the world but we also need to listen to the experience and insight of a wide range of people, including parents, teachers, employers and universities who see the outcomes of our education system in their students, staff and children.

I turn to another key part of the budget, health. In April this year, services at the Canberra Hospital were closed down because this government failed to undertake urgent electrical repairs. The switchboard fire meant that the hospital became a scene of chaos, while critical patients had to be rushed across to Calvary. For years ACT Labor has allowed the hospital to crumble, and the incident in April is just another example of the mismanagement of the health system. It is not a matter of if another disaster will occur at the Canberra Hospital; it is a matter of when.

When lives are at stake, there is no room for negligence. We need to make sure that our health infrastructure is well maintained and resources are optimised. We need to make sure that our clinicians are in a workplace where they can work to their potential.

The delivery of local services is critical. Road and footpath maintenance, safe parks and green spaces, playgrounds, rubbish collection and a host of other services are central to our daily lives. We depend on accessible public transport that serves all of Canberra, and frequently.

The government needs to listen to residents' concerns about the state of local services. However, this government does not listen to the community and certainly does not consult. Over the past few months, and without public consultation, the Barr government has imposed housing developments in Woden, Weston Creek and Tuggeranong. The government never listened to the communities in Mawson, Holder, Chapman and Wright. It never actually consulted them.

The government, which forever claims to be standing up for the most vulnerable, shows no real interest in tenants' welfare. It is moving public housing residents out of the Northbourne corridor and into locations away from employment opportunities and away from basic services. They are creating transport disadvantage for vulnerable people.

The born to rule mentality that this government has developed means that anything goes and everything is okay. Labor think that they can run the territory free of checks and balances, without morals and ethics and in cahoots with the unions.

There are serious probity issues with the government. The Greens have been in coalition and in cabinet for five years now, yet the actual or perceived malfeasance continues. The Greens are not the third-party insurers they claim to be. They are in coalition and they have been all too compliant to their masters. The ACT has a problem. At best it is an integrity issue, and at worst it is corruption.

We all know that there are some people who have done very well out of this government, be it particular lobbyists, particular developers or particular consultants along the way. However, they have only gained this success and this access because the government has given them preference or has shut the door on others.

There are a number of instances that stand out. Firstly, as has been reported, the Tradies sold the CFMEU headquarters to the government for \$3.9 million, just one week after Andrew Barr became Chief Minister. Contracts were exchanged on 16 December and settlement on the multimillion dollar purchase happened just three days later. Who else in Canberra can arrange a three-day settlement on a multimillion dollar property purchase? Now the government is leasing the building back to the CFMEU for \$1 per year. This is a disgrace. Anywhere else this would be called out as being corrupt.

In contrast, the government charges organisations \$2,500 per day to hire the Albert Hall. The Migrant and Refugee Settlement Services list a rental expense of \$41,000 in their annual report. Somehow it is okay for the Labor government to charge a migrant support charity tens of thousands of dollars, or a community group two grand a day for the Albert Hall, but their mates in the union get a big building in Dickson for \$1 a year. And that is on top of \$4 million cash!

Secondly, I agree with the well-known letter writer, Mr J Stanhope of Bruce, about Mr Barr's petulance and his vindictiveness regarding clubs. Mr Barr and his colleagues have no credibility when it comes to gaming policy. As the owner and controller of 489 poker machines, the Labor movement is conflicted. And it uses its 1973 Foundation to turn over the pokie cash through Sydney property investments. Their regulation of an industry in which they are so heavily invested is a rort.

Further to this, let us not forget that the Labor Club also spent \$528,000 last year buying even more poker machines from another club in Canberra. This does not sound like a party that wants to divest itself of gaming revenue. How can you make

policy about pokies when you control 489 machines? Nothing short of the Labor Club surrendering them, not selling them, will help the situation. Until then, they will keep hitting the jackpot.

The third instance is the ACT government's MOU with Unions ACT which gives veto powers to the union over government contracts. The secrecy surrounding this deal is unacceptable. How it is negotiated, how the communication occurs, which contracts have been subjected to it and what impact it has had, are all unknown. This deal allows a handful of comrades to tick and flick businesses vying for taxpayer-funded work. The MOU must be repealed.

Fourthly, last year the Auditor-General investigated and handed down a report detailing the Glebe Park and lakeside land deals. The Auditor-General said that transparency, accountability and rigour were lacking in the government's processes. To recap, a formal 40-page valuation put the value of a block of land at \$900,000. However, without another valuation being conducted, \$4 million was paid to the owners of that block. It is outrageous. Another such issue was a lakeside block where the Auditor-General concluded that the Labor government paid 50 per cent more than what the block was valued at.

What is more, there is no documentation associated with the negotiations or even a rationale for the purchase price. How you can pay above top dollar for a property with taxpayers' money and not have documentation relating to the negotiation is beyond me. All these deals happened when Mr Barr was the responsible minister.

Fifthly, a deal that has pretty much flown under the radar is the car park deal in Woden involving the Woden Tradies. A few years ago the government sold a surface car park to the Tradies for a future development. However, in the deal that was done the government decided to make regular payments to the Tradies for parking fees. Despite the fact that the car park was only partially utilised, the government paid the club top dollar. They assumed 100 per cent occupancy rates and 100 per cent payment rates for the car park. The result is that the Tradies made a massive windfall on the deal.

The sixth issue relates to a rural lease that the government acquired for a new Molonglo suburb. It was a pastoral property and had a pastoral value of perhaps at most, I would think, a couple of million dollars. However, what did the government do? It rezoned the land before it acquired the property. So rather than buying pastoral land for perhaps a couple of million dollars, the government paid \$9.25 million for this block of land because they rezoned it before they bought it, rather than doing it the other way round. Again, this was on Mr Barr's watch at the LDA.

In another example, at a time when the government was criticising the Canberra Liberals about our lease variation charge policy, the Labor Club was redeveloping ACT Labor's former headquarters in Braddon. Noting that the development application included 36 apartments, according to this week's budget, that would attract a tax of \$1,080,000. How much did the Labor Club pay for their lease variation? \$1 million? No, of course not. Not one cent, in fact. They did not pay a cent.

They did not pay any lease variation charge. Why is this? Because they claimed that the property would be less valuable with 36 apartments on it than it was before.

This is a rort. If the development was less valuable with 36 apartments, why would you develop it? In contrast if you want to create a dual occupancy in Kambah you will have to fork out \$30,000 or \$60,000. But if you are developing 36 apartments in Braddon with connections to the Labor movement, you do not pay a cent.

These seven scandals—the CFMEU \$4 million headquarter purchase and the \$1 lease back, Labor’s 489 poker machines and their recent acquisitions, the MOU with Unions ACT, the Glebe Park and lakeside deals, the Woden Tradies car park, the \$9.25 million rural lease purchase and Labor’s Braddon apartment deal—have cost the ACT taxpayer tens of millions of dollars. And those opposite do not seem to care. What is more, I think quite a few of them do not think there is much of a problem with it.

There is a better way and the Canberra Liberals will make it happen. I am proud to announce six integrity measures that the Canberra Liberals will move to implement. These are in addition to establishing an ICAC. Firstly, today I call for the establishment of a public works committee for the ACT. This committee process will help safeguard the territory against recurring problems with government infrastructure projects. I propose that the public accounts committee take on the role of a public works committee and receive automatic referrals of procurements over a certain threshold, perhaps \$2 million. Progress updates would also be provided to the committee.

Given this level of reporting already takes place within government, the provision of this information to an Assembly committee will be easy to comply with. Of course, the committee would be required to provide a speedy response to referrals and this timetable should be legislated.

Secondly, the Canberra Liberals do not believe that whistleblower legislation is working. The current public interest disclosure process is daunting and serves as a major impediment to public servants calling out unethical or illegal behaviour. As such, the Canberra Liberals propose making it easier to call out actual or potential wrongdoing. We need more disclosure officers who are outside the bureaucracy and we need mechanisms other than a PID for reporting wrongdoing.

Thirdly, the Canberra Liberals propose that Assembly committees will receive twice yearly progress reports on the audit activities of each ACT government agency. The committees could, perhaps in camera, hear about the audit schedule, hear about reports and recommendations and receive progress reports on their implementation. This information will go hand in hand with the annual reports scrutiny process that the committees currently undertake.

Fourthly, the Canberra Liberals believe that far more clarity and certainty are required in the unsolicited proposals process. Neither government nor proponents are well served by the current system. There needs to be more clarity in timelines, legislated IP protection and public reporting on the status of advanced proposals.

The fifth integrity measure is that the Canberra Liberals propose halving the notifiable invoice threshold to \$12,500. By publishing the payments made by government agencies, the community can scrutinise how their money is being spent. We also propose that the government provide the documents in an online, searchable format.

Our sixth reform will require that all land acquisitions must be reported to the public accounts committee. The regular report would include the reason for the acquisition, who was the vendor, the price that was paid, the method of purchase and what commissions or consultancy fees were paid. It is simply not good enough that land purchases remain a secret.

These six integrity reforms will go some way to bringing more transparency to the deals done by the ACT Labor government. In summary, the reforms we are proposing are a public works committee, giving more options to whistleblowers, tracking agency audits, improving the unsolicited proposals process, expanding the invoice register and reporting land acquisitions. These six measures will help but, if we really want to clean house, we need to change the government.

I am very proud to lead the Canberra Liberals. We are a team with broad life experience, with expertise and with diversity. This team is committed to our community. As the opposition has always done, we will continue to advocate for the best interests of Canberrans. Over the coming years the Canberra Liberals will engage on the big issues to plan for a community beyond 2020. We need to leverage off our universities, our businesses and our institutions and the commonwealth to make Canberra even better. I am optimistic about the future of our city. We have enormous capability and we are yet to reach our potential.

By the time of the next election ACT Labor will have been in power for 19 years and seeking a mandate for 23 years. Just as Labor went bad in New South Wales I fear this government is going down that same path. Canberrans deserve better. Canberrans deserve an administration that is clean of corruption and bad deals. We need a Canberra where the community is listened to, where houses are affordable, where kids receive the best education possible, a health system that is reliable, a road and public transport system that serves the whole city, community services that actually work and community and urban services that are accessible to all Canberrans and that are actually befitting of the national capital. The Canberra Liberals will work towards making this happen. The work has already begun.

MR RATTENBURY (Kurrajong) (3.25): The Greens are pleased to welcome the 2016-17 budget. It is a budget we can be proud of. It is the first budget of this Ninth Assembly and it clearly reflects the government partnership between Labor Party and the Greens.

It commits to taking firm steps to address the challenges of the 21st century. The Greens believe that the key challenges for the ACT are to ensure that we become a truly sustainable city, responding to the threats of climate change, and also focus on reducing the pressure on the many vulnerable residents of the ACT. We are proud that,

in responding to these challenges, the budget reflects many commitments the Greens made during the election campaign and demonstrates the benefits of a Labor-Greens government and the parliamentary agreement made by both parties.

We are proud that the Greens, as the party of courage and community, have worked successfully in government and on the crossbench to assist in transforming the ACT into a beacon for progressive Australia. We have shown the country that we can be a socially fair and equitable place, economically viable and, importantly, environmentally sustainable. As a result, the ACT is leading the way on 21st century indicators such as renewable energy investment, justice reinvestment and preventative health.

The Greens have worked hard to collaborate with the community on our plan for a fairer and more sustainable city, and we are starting to see that become a reality. The Greens are pleased to see light rail rolling out in north Canberra and believe it is the right move to shape Canberra into an inclusive and interconnected city of the future. Our vision is for a high quality 21st century transport network right across this city, and we are pleased to see that work has begun on stage 2 of light rail, to Woden. Transforming public transport is crucial to responding to the challenges of congestion, pollution, affordability, social exclusion, climate change and energy security, and supporting our vulnerable citizens.

Madam Speaker, it could, of course, have been a very different Canberra had the election results been different. We could have seen this budget paying for a contract for light rail without Canberrans actually seeing a single track.

The Greens believe in an inclusive and welcoming Canberra where the most vulnerable in our community are looked after: a Canberra that has high quality health care and education for all, no matter what your income or your postcode is; a Canberra that is diverse and fully acknowledges the unique contribution of its traditional owners as well as people of different races, genders and cultures; a Canberra that protects our local environment and where we do our part as global citizens. And we must be a community that tackles the ever-widening gap between rich and poor.

I know that no single budget will address all of these aspirations, but the Greens believe that this is a budget that is firmly working towards the right solutions.

There are a number of items in this year's budget that the Greens are particularly proud of and that simply would not be in the budget if we had not helped to put them on the agenda. They are of importance not only to us but to the community. There are a few items I would like to highlight today.

After hearing from carers and service providers about the impacts of gaps in our mental health system and long waiting lists for child and adolescent mental health support, mental health became a key part of the Greens' election commitments on health.

We are pleased that this budget starts the work to establish a dedicated office for mental health, as committed to in the parliamentary agreement. The office will identify and work to close the gaps in our mental health system, and improve service delivery and coordination, to ensure that all Canberrans can access the help they need. We know that one in three Canberrans will need a mental health service in their lifetime, and we must make sure that our system serves them well, intervening early, not just when they are at their most vulnerable.

Once fully established, the office for mental health will work towards a suicide reduction strategy, including the adoption of targets. We have targets for reducing road deaths and other preventable health issues, and the Greens believe we should do the same here, and adopt a suicide reduction target of 50 per cent by 2025.

The \$23 million in new funding for mental health services in this budget prioritises areas of increased coordination, suicide reduction and a renewed focus on children and young people.

The wellbeing of students is a grave concern across the ACT, and both the Greens and Labor took an increase in school psychologists to the election as a key commitment. It will be important to ensure that school psychologists work with government and community experts in the field to develop a system-wide school referral process.

As part of a parliamentary agreement commitment to justice reinvestment, specifically to reduce recidivism by 25 per cent by 2025, the Greens are pleased to see progress on the establishment of a specialised drug and alcohol court. The court will assist people to truly address their addictive behaviours and divert them from custody.

The evidence is clear that our current approach to illicit drug use has failed people with addictions and our community as a whole. If we can treat the source of the issues, by helping people get through their drug or alcohol addictions, we can stop the cycle of crime and improve the quality of life for those individuals, their families, and the broader community. This model is successfully running in many other jurisdictions, including in Auckland, where I saw it first-hand last year. The Greens have the courage to back these new, evidence-based approaches which tackle the causes of crime and treat alcohol and drug addiction like the health issues that they truly are.

In line with the parliamentary agreement, this budget provides for new approaches to community engagement in the territory. Training ACT public service staff in community consultation is welcomed, along with the commitment to hire a participatory democracy expert and prioritise diversity in community consultation to ensure that the collection of voices heard is representative of our community. The Greens believe that consultation processes must be structured to ensure that the public's contributions will meaningfully influence the government's decisions. The government must also communicate with participants about how their input affects decisions.

The government has committed \$2.8 million to strengthen community consultation through deliberative democracy strategies, including running a trial citizens jury process in the next year. We applaud this progress. However, we note that for this trial to be successful, the issue that the citizens jury is asked to examine must itself be meaningful to the community. We need to ensure that the citizens jury explores a contentious issue on which the community wants to be heard. It would be useful to get clear community feedback on the first topic for the citizens jury trial. The government also needs to either commit to supporting the findings of any citizens jury or clearly explain the extent of influence that the citizens jury may have over any government decision from the outset, so that we do not see a repeat of the situation that has played out in South Australia.

The Greens believe that today's community has a responsibility to ensure that the environment is protected for future generations and takes real climate action. As our city grows, we want to ensure that it is sustainable: as well as investing in fast and convenient public transport, we must protect our natural environment and promote natural spaces in our town centres and urban areas.

We are pleased that this year's budget commits more new funds to public transport than to roads, something we have worked very hard to turn around over the years, as we believe that smart investments in public transport will truly transform Canberra. This budget also continues investment in cycling and walking upgrades, including the much-needed Belconnen bikeway.

As both a former transport minister and former education minister, I am particularly pleased about the funding for safer walking and cycling around schools: infrastructure which contributes to both sustainability and the safety of children, some of our most vulnerable road users.

The ACT is leading the nation in our commitment to climate change mitigation. We are on track to reach our goal of 100 per cent renewable electricity by 2020 and are progressing our blueprint to achieve carbon neutrality by 2050 at the latest. This budget includes \$1.9 million for delivering the climate change adaptation strategy and \$550,000 for community grants to undertake zero net emissions projects, ensuring that individuals and community groups are supported to develop programs and projects that contribute to Canberra's ambitious climate action.

We believe the ACT should lead the nation in waste management once again by reducing the amount of waste going to landfill. The Greens have long called for a container deposit scheme in the ACT to help improve recycling rates and reduce litter across Canberra. We are pleased to see that the funds for that to progress are contained in this year's budget. We welcome the funding to implement the waste recovery and resource management act, which will improve data collection across the waste sector and help to divert recyclable and reusable resources from landfill. We look forward to working with the government on further waste management initiatives following release of the waste feasibility study later this year.

We are also pleased to see that funding has finally been restored to the Environmental Defenders Office, a vital organisation for legal protections of the environment in the territory. The EDO provides free legal advice and education to members of our community, and has persevered despite losing its federal funding over three years ago. After continued advocacy, we are pleased to see that the EDO's work can now carry on with more certainty.

The budget tackles long-term community concerns about building quality. A common example is that people have been buying brand-new apartments only to find major problems like faulty waterproofing that costs tens of thousands of dollars to repair within a year or two of the building being completed. Reflecting community concerns, the parliamentary agreement includes a commitment to the establishment of a panel of independent auditors who would conduct mandatory annual audits of building certifiers. The budget delivers both on this item and on other actions to resolve building quality issues.

The Greens have been raising housing energy efficiency for decades, going right back to Kerrie Tucker in her time in this place. We are pleased that the budget provides for EPSDD to review the energy rating system and that this review will finally look to apply the scheme to rental properties.

The Greens are proud that this budget supports our community and the community sector that supports Canberrans. Sadly, rising house prices, sluggish wage growth and the rising cost of living have left many of our city's most vulnerable out of luck and unlikely to ever find themselves in a place of secure, long-term housing. There is an ever-widening gap between the rich, middle class and poor in this city, and we have an obligation to ensure that all of our residents can have a roof over their head.

Many people in the two lowest socioeconomic quintiles in Canberra pay a significant proportion of their income on housing, leaving little for the other necessities of life. They find themselves compromising on groceries and health and medical appointments. They are often unable to provide children with any extracurricular activities like music or sport with their peers. This can have a significant impact on development, education attainment, wellbeing and inclusion.

In that vein, the Greens are pleased to see the ongoing investment in the public housing renewal program. This important program will ensure access to housing for some of our most vulnerable people, and a quality of housing that we have not seen in recent times. It has been the biggest investment in public housing since self-government, providing more comfortable and cost-effective housing for tenants.

We are, of course, concerned that the number of Housing ACT properties reduces temporarily, noting that the target of social housing properties for 2017-18 is around 240 fewer properties than the previous year. We know that this reduction is temporary, as 1,288 properties that are being replaced will come back under the public renewal housing program, and that no tenants will be made homeless, but we note the pressures that this places on our waiting lists. As our population grows, the Greens

believe that we need a rolling program aiming to increase community and public housing stock by at least 100 properties per year, with a longer term goal to ideally achieve 10 per cent of our housing stock as public and community housing, to ensure that we can provide for our growing population.

We welcome the investment in feasibility studies for an older persons housing facility for Aboriginal and Torres Strait Islanders, for accommodation for people with high and complex needs and for an additional Common Ground facility. We were central to the development of Common Ground in Gungahlin and we know it works.

We welcome the significant investment in the children and youth protection service and out of home care system. It is important to strengthen our response to the most vulnerable in our community, the children and young people who are not safe in their own homes. We must ensure that our responses provide them with the stepping stones they need to go on to live productive lives, to engage with the education system and to participate fully in our community. We must also ensure adequate and appropriate supports for parents with a disability so that, if the only challenge to their parenting is their disability, they get the supports they need for their children to remain safely with them.

The Greens welcome the investment in the Office of LGBTIQ Affairs and A Gender Agenda. The LGBTIQ community still experiences discrimination on a regular basis, both institutionally and socially. We hope to see real changes as a result of this investment. In particular, the specific funds to improve access to services for trans, intersex and gender diverse people are welcome as this group experiences disproportionate disadvantage and discrimination. The ongoing investment in the Safe Schools Coalition is welcome and in line with our unequivocal support provided for this initiative. It is vital that we work to ensure inclusivity for LGBTIQ young people in the school context.

We welcome the investment in the Office of Disability to ensure that there will be ongoing oversight and policy input under the NDIS. As the first jurisdiction to fully integrate the NDIS, this is particularly important. However, we need to be sure that people with disability who are not eligible for NDIS supports are not left behind. We hope that this office will assist with providing advice on gaps in the system and proposals to remedy those gaps as well as ongoing policy advice to the whole of government.

We welcome the investment in supporting greater social inclusion by funding training, awareness and infrastructure upgrades for community organisations. However, we note the limits of spending \$200,000 over four years. We also welcome the commitment to develop a disability justice strategy, a Greens' commitment in the election campaign and an important way to address the systemic disadvantage that people with disabilities experience in our justice system.

People with disabilities are more often negatively impacted when they are a victim of crime, as well as when accusations have been made against them. They are disproportionately represented in our prison population and have an increased

likelihood of repeated contact with the criminal justice system. Equally, their credibility as witnesses or victims of crime is often called into question when there are struggles to convey their version of events.

Equally, we welcome the support to develop a carers strategy. This was also a commitment first made by the Greens and subsequently by other parties during the election campaign. The development of the strategy will assist to ensure that those who care for our most vulnerable, including those who are carers with a disability themselves, get the support they need.

Canberra's community legal centres improve access to justice, especially for vulnerable Canberrans. Their front-line delivery and advocacy saves costs further down the line. This budget invests an additional \$2.5 million to support ACT community legal centres through federal cuts and bolster their ability to deliver crucial services. Funding will go to CLCs, including the Women's Legal Centre, Canberra Community Law and the very valuable Street Law Service.

I am pleased to fund the expansion of prison industries with a dedicated bakery in the AMC. This is about training and employment for detainees, many of whom have limited education and work experiences, and is an important foundation of the government's ongoing commitment to reducing recidivism by improving the employment prospects of detainees to support a more positive reintegration into society when they leave custody. Similarly, I am pleased to note an expansion of the very effective and proven extended throughcare program that works with all sentenced detainees post release for up to 12 months in order to reduce reoffending and maximise their reintegration back into the community.

While the budget invests strongly in acute and hospital services for health, it also recognises that primary and preventative health is essential in an effective health system. This budget, which includes significant investment in mental health, is about supporting Canberrans, particularly our vulnerable citizens, to stay healthy and out of hospital, not just waiting until they get sick.

A number of Greens' election commitments included in the parliamentary agreement have been delivered in this budget, including the \$9.3 million investment for new nurse-led walk-in centres to take pressure off our emergency departments and \$4 million to be used in part to develop a preventative health strategy. This is a 21st century approach to health care which recognises the growing need to prevent and manage chronic and complex conditions in the community. An additional two mobile dental clinics, another parliamentary agreement item, will also have a positive impact on the general health and wellbeing of vulnerable Canberrans.

I am pleased to see the Greens and Labor election commitments to a new \$12 million health clinic in partnership with Winnunga Nimityjah Aboriginal Health Service being delivered. This budget takes firm steps towards supporting Indigenous Canberrans and organisations to deliver better services in health care, in housing and in justice reinvestment. But there is much more we need to do to close the gap.

We are pleased that all this good work is being done, while also seeing the budget coming back to surplus. We have supported the plan for the ACT's budget to go into deficit and return to surplus in this Assembly since early in the Seventh Assembly, when the global financial crisis hit. The Greens backed the plan that saw us spending on infrastructure and investing in our community. We are pleased to now be getting to the other side, while also keeping focused on sustainability and support for vulnerable Canberrans. Now that we are coming back to a surplus, we will be urging our government partners to further invest in housing initiatives to address affordability and sustainability as well as better-practice community consultation.

We will be supporting this budget but we note there a few areas we would like to see more focus on when it comes to future investment, as we look to future years of budgets. Aside from the public housing commitment, we believe there is not enough in this budget to address social or affordable housing. We believe that this is the budget's greatest gap. We think it is vital to increase our housing and homelessness investment to support vulnerable people and, in particular, increased investment in public and community housing as part of an affordable housing package.

We look forward to the affordable housing summit later this year that will include a stream on homelessness, and the innovative ideas and proposals it will generate for a comprehensive, affordable housing strategy. We believe the ACT needs to demonstrate real leadership in tackling this issue. We cannot wait for the commonwealth government to remove negative gearing and capital gains tax. We must act locally to ensure that everyone has a decent place to live.

The parliamentary agreement outlines a range of different housing models and approaches for the government to explore over the term of this Assembly, including allowing people to be involved in new designing models of affordable housing and cooperative housing, examining renters' rights, improving energy efficiency in homes to reduce heating and cooling bills, promoting ethical landlord schemes, increasing community housing options and ensuring that there are targets of 10 per cent affordable housing in urban infill areas and 20 per cent in greenfield developments.

I look forward to progress on a number of agreement items such as funding for MyHome, supportive housing for residents with mental illness to be built by the community with government support, as well as the roundtable and initiatives on universal housing design.

As discussed yesterday, we are concerned about the ACT housing market not constructing high quality sustainable housing. We would like to see demonstration housing precincts integrating world-class environmental performance, design and construction that caters for the needs of the 21st century. We especially need housing that shows we can do infill development better: more sustainable and more affordable.

Canberra has also set an ambitious carbon emissions target of zero carbon emissions by 2050 at the latest. We need the building sector to contribute to these progressive targets to ensure that we are protecting our environment and acting to mitigate the potentially devastating effects of climate change.

Although Canberra's urban areas are rich with trees that are highly valued by the Canberra community for the many benefits they bring, we have long been concerned about the lack of funds to sufficiently maintain this level of trees. We know that trees and other living infrastructure are critical for ameliorating urban temperatures in summer and reducing the heat island effect. We also know that international research shows urban trees have measurable economic value in addition to their environmental value. For example, trees increase property values and lower summer cooling costs. The Greens would like to see increased government investment in urban trees to ensure we continue to address climate change impacts and to maintain our feel as a bush capital.

This is a budget that delivers progressive outcomes for the community. While it is a jointly agreed Labor-Greens budget, the Greens realise that there is still so much more to do. The 2016 ACT Labor-Greens parliamentary agreement lays out a full agenda that will ensure this government continues to deliver sustainability, social equity and community-focused reforms over the four years of this term.

The Greens have a vision of a sustainable Canberra that is driven by the community, for the community, particularly our most vulnerable. We want to ensure that diverse community voices are heard loudly and clearly and that they meaningfully influence decisions that will shape the future of this city.

We are a party of community but also a party of courage. We will be courageous by continuing to build on our wins, from taking action on climate change, making Canberra a world leader in renewable energy and securing record investment in public transport, to improving people's lives and increasing equity in our community. We are committed to this work, we are ready to meet the challenges and we will always put the community first. We believe this budget takes important steps to deliver that and we are proud to support it.

Question resolved in the affirmative.

Bill agreed to in principle.

Reference to Select Committee on Estimates 2017-2018

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

That the Appropriation Bill 2017-2018 and the Appropriation (Office of the Legislative Assembly) Bill 2017-2018 be referred to the Select Committee on Estimates 2017-2018.

Adjournment

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

That the Assembly do now adjourn.

The Assembly adjourned at 3.51 pm until Tuesday, 1 August, at 10 am.

Schedules of amendments

Schedule 1

Utilities (Streetlight Network) Legislation Amendment Bill 2017

Amendment moved by the Treasurer

1

Clause 9

Page 7, line 1—

omit clause 9, substitute

**9 Streetlight network
Section 229 (1)**

omit

in relation to the provision of streetlighting.

substitute

in relation to—

- (a) the provision of streetlighting; and
- (b) services provided in relation to the provision of streetlighting.

Schedule 2

Planning, Building and Environment Legislation Amendment Bill 2017

Amendments moved by Ms Lawder

1

Proposed new clause 13A

Page 12, line 1—

insert

**13A Decision about nomination application
New section 29 (1) (a) (iii)**

insert

- (iii) the council is not satisfied that the application contains enough information for an assessment to be made; or

2

Proposed new clause 13B

Page 12, line 1—

insert

**13B Decision about provisional registration
New section 32 (3)**

Insert

- (3) Further, the council may decide not to provisionally register a place or object if satisfied the heritage significance of the place or object is protected under another territory law.

3

Clause 14

Page 12, line 2—

[oppose the clause]

4

Clause 18

Proposed new section 4 (3)

Page 15, line 5—

omit proposed new section 4 (3), substitute

- (3) Before having regard to Aboriginal or Torres Strait Islander vocabulary under subsection (2) (e), the Minister must consult an entity that is—
- (a) prescribed by regulation as an entity that represents the interests of Aboriginal and Torres Strait Islander people; and
 - (b) appropriate to consult in the circumstances.
-

Answers to questions

City Renewal Authority and Suburban Land Agency—staffing (Question No 165)

Mr Coe asked the Chief Minister, upon notice, on 12 May 2017:

- (1) How many staff will be attached to the (a) City Renewal Authority and (b) Suburban Land Agency, once established.
- (2) How many executive level staff will be attached to the (a) City Renewal Authority and (b) Suburban Land Agency, once established.
- (3) Will existing staff of the Land Development Agency be given the opportunity to transfer to either the City Renewal Authority or the Suburban Land Agency or to remain in the Chief Minister, Treasury and Economic Development Directorate.
- (4) Will any consultants or contractors be engaged to the (a) City Renewal Authority and (b) Suburban Land Agency.

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

- (1) The following estimated employment levels are provided in the 2017-18 Budget Statements:
 - a. City Renewal Authority (CRA) – 20 full time employees
 - b. Suburban Land Agency (SLA) – 77 full time employees.
 - (2) Upon establishment the
 - a. City Renewal Authority will include 3 executive level staff, including the Chief Executive Officer
 - b. Suburban Land Agency will include 4 executive level staff, including the Chief Executive Officer.
 - (3) Staff will be transferred from the Land Development Agency to the Environment, Planning and Sustainable Development Directorate (EPSDD), the CRA and the SLA as a result of the new governance arrangements established by the *City Renewal Authority and Suburban Land Agency Act 2017*. Extensive staff consultation has occurred as part of the transition to the new arrangements regarding organisational structures of the CRA, SLA and EPSDD, including the identification of individual staff to specific work units.
 - (4) The *City Renewal Authority and Suburban Land Agency Act 2017* authorises the Chief Executive Officers of the City Renewal Authority and the Suburban Land Agency to engage consultants and contractors. The engagement of contractors or consultants is a decision for each of the entities as part of broader workforce planning and operational management.
-

Housing—government purchases (Question No 167)

Mr Coe asked the Minister for Housing and Suburban Development, upon notice, on 12 May 2017:

- (1) Could the Minister provide the total amount spent in developing the suburbs of (a) Moncrieff, (b) Throsby, (c) Lawson, (d) Wright, (e) Coombs, (f) Bonner, (g) Franklin, (h) Harrison, (i) Jacka, (j) Wells Station, (k) Casey, (l) Crace, (m) Taylor and (n) Ford.
- (2) Could the Minister provide the budget allocated and the total amount spent to date by the Land Development Agency (LDA) for the costs incurred in developing each of the suburbs listed in part (1) in relation to (a) land acquisitions for the estate, (b) planning and environmental approvals, (c) contractors, (d) utility connections and approvals, (e) promotion and advertising, (f) land sales, (g) legal fees, (h) governance and administrative (including joint venture board, subcommittee etc.), (i) landscaping and urban amenity, (j) road surfacing, (k) footpaths, (l) street lights, (m) urban maintenance, (n) LDA staff working directly in support of the project and (o) all other costs.
- (3) Could the Minister provide the total revenue received to date from the Moncrieff project and any expected future revenue from the project, broken down by (a) single residential homes, (b) multi-unit sites, (c) commercial sites and (d) other revenue sources.

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

- (1) The total amount spent by the Land Development Agency (LDA) on developing new suburbs depends on the nature of the development, that is, LDA estate, joint venture or englobo release; the size and topography of the suburb; and the proximity of trunk infrastructure to the suburb. As at 30 April 2017 total costs were:

	Estates	\$ ex GST
(a)	Moncrieff	162,215,683
(b)	Throsby	55,950,261
(c)	Lawson	55,334,476
(d)	Wright	118,562,195
(e)	Coombs	157,375,576
(f)	Bonner	261,702,013
(g)	Franklin	153,067,921
(h)	Harrison (1, 3 and 4)	100,766,807
(i)	Jacka	19,588,143
(j)	Wells Station (Harrison 2)	65,370,172
(k)	Casey	58,795,967
(l)	Crace	54,398,627
(m)	Taylor	24,655,601
(n)	Forde	35,634,418

(2) Budget allocated per original project business plan and total spent as at 30 April 2017

Moncrieff	Budget Allocated	Costs Incurred
(a)	72,400,000	65,677,147
(b)	8,014,221	8,552,523
(c)	150,000	106,930
(d)	-	-
(e)	2,669,279	409,926
(f)	1,236,511	2,329,051
(g)	3,000,000	1,765,860
(h)	1,244,387	1,327,970
(i) (j) (k) (l)	112,822,543	81,499,751
(m)	682,031	352,221
(n)	178,574	190,568
(o)	12,306,563	3,735

Throsby	Budget Allocated	Costs Incurred
(a)	52,742,938	-
(b)	4,982,185	3,278,578
(c)	-	-
(d)	-	-
(e)	2,916,364	566,265
(f)	3,423,636	1,409,219
(g)	1,500,000	114,147
(h)	2,092,117	1,376,739
(i) (j) (k) (l)	90,848,076	48,963,122
(m)	359,149	13,048
(n)	328,832	216,391
(o)	9,985,121	12,751

Lawson	Budget Allocated	Costs Incurred
(a)	18,400,000	3,961,063
(b)	5,589,396	3,870,777
(c)	-	-
(d)	-	-
(e)	582,584	282,039
(f)	1,707,546	1,501,789
(g)	500,000	275,641
(h)	-	-
(i) (j) (k) (l)	74,953,507	44,938,748
(m)	526,803	402,121
(n)	47,858	33,143
(o)	8,331,809	69,156

Wright	Budget Allocated	Costs Incurred
(a)	43,000,000	39,942,809
(b)	6,020,823	5,190,092
(c)	-	-
(d)	-	-
(e)	1,452,218	1,056,297
(f)	8,519,688	7,451,033
(g)	1,200,000	988,396
(h)	3,750,472	3,232,995
(i) (j) (k) (l)	70,365,083	60,033,082
(m)	556,257	428,204
(n)	20,287	17,488
(o)	12,868,030	221,798

Coombs	Budget Allocated	Costs Incurred
(a)	70,000,000	62,594,655
(b)	4,120,640	3,476,138
(c)	1,000	630
(d)	-	-
(e)	1,776,355	829,076
(f)	9,180,984	6,907,279
(g)	1,402,860	861,352
(h)	6,077,533	5,126,958
(i) (j) (k) (l)	90,895,992	76,727,687
(m)	690,791	497,886
(n)	154,472	130,311
(o)	12,258,730	223,603

Bonner	Budget Allocated	Costs Incurred
(a)	137,270,000	124,689,000
(b)	5,171,857	11,377,277
(c)	350,000	343,007
(d)	-	-
(e)	1,953,101	1,359,774
(f)	696,385	1,531,938
(g)	2,500,000	2,365,351
(h)	50,476	111,038
(i) (j) (k) (l)	147,471,000	117,900,036
(m)	3,417,273	1,595,497
(n)	-	-
(o)	23,760,909	429,095

Franklin	Budget Allocated	Costs Incurred
(a)	30,000,000	40,521,186
(b)	11,674,895	10,178,810
(c)	-	1,668
(d)	-	-
(e)	2,516,976	788,100
(f)	10,437,784	1,227,476
(g)	1,000,000	880,985
(h)	133,959	116,793
(i) (j) (k) (l)	119,420,573	96,712,802
(m)	2,230,457	888,025
(n)	-	-
(o)	13,122,943	1,752,076

Harrison (1, 3 and 4)	Budget Allocated	Costs Incurred
(a)	37,400,000	61,300,000
(b)	2,941,086	3,393,423
(c)	100,000	61,100
(d)	-	-
(e)	292,236	307,305
(f)	833,301	722,655
(g)	1,127,948	696,101
(h)	26,015	35,871
(i) (j) (k) (l)	43,624,863	33,338,685
(m)	624,727	442,548
(n)	-	-
(o)	4,418,020	469,120

Note: The Harrison 1 estate was sold englobo to a private developer. The majority of the cost incurred by the LDA for Harrison 1 relates to the cost of land.

Wells Station (Harrison 2)	Budget Allocated	Costs Incurred
(a)	29,440,909	27,304,630
(b)	1,594,198	2,592,878
(c)	-	11,214
(d)	-	-
(e)	647,544	1,053,196
(f)	1,000,000	1,023,892
(g)	300,000	247,059
(h)	17,278	28,101
(i) (j) (k) (l)	35,719,596	31,407,696
(m)	195,793	797,050
(n)	-	-
(o)	2,497,523	904,458

Jacka	Budget Allocated	Costs Incurred
(a)	9,200,000	8,600,000
(b)	723,207	959,915
(c)	-	5,638
(d)	-	-
(e)	96,134	64,421
(f)	407,519	184,595
(g)	200,000	165,099
(h)	-	-
(i) (j) (k) (l)	13,848,387	9,547,836
(m)	133,636	35,849
(n)	-	-
(o)	1,681,317	24,791

Casey	Budget Allocated	Costs Incurred
(a)	-	58,000,000
(b)	-	115,223
(c)	-	-
(d)	-	-
(e)	-	35,649
(f)	-	428,584
(g)	-	92,549
(h)	-	-
(i) (j) (k) (l)	-	-
(m)	-	106,839
(n)	-	-
(o)	-	17,123

Note: The Casey estate was sold englobo to a private developer. The majority of the cost incurred by the LDA relates to the cost of land.

Crace	Budget Allocated	Costs Incurred
(a)	-	40,513,949
(b)	-	6,820,612
(c)	-	-
(d)	-	-
(e)	-	22,734
(f)	-	586,273
(g)	-	176,097
(h)	-	84,854
(i) (j) (k) (l)	-	-
(m)	-	25,883
(n)	-	-
(o)	-	6,168,226

Note: The budget for Crace was not set or administered by the LDA as development of the estate was undertaken by the Crace Joint Venture.

Taylor	Budget Allocated	Costs Incurred
(a)	24,643,050	-
(b)	8,776,183	16,500
(c)	-	-
(d)	-	-
(e)	4,806,345	196,322
(f)	8,262,713	108,892
(g)	-	-
(h)	10,683,879	151,441
(i) (j) (k) (l)	238,334,109	23,766,765
(m)	2,803,636	1,230
(n)	1,000,000	256,122
(o)	49,918,845	158,329

Forde	Budget Allocated	Costs Incurred
(a)	-	30,550,000
(b)	-	541,681
(c)	-	-
(d)	-	-
(e)	-	131,202
(f)	-	35,900
(g)	-	495,132
(h)	-	2,562,613
(i) (j) (k) (l)	-	493,181
(m)	-	58,682
(n)	-	-
(o)	-	766,028

Note: The budget for Forde was not set or administered by the LDA as development of the estate was undertaken by the Forde Joint Venture.

Note for responses to (n) in all Part (2) above. Prior to 2015-16, LDA salary costs were not attributed to individual projects. Since 2015-16, salary costs for project managers are attributed to individual projects.

(3)

Moncrieff Revenue	Actual to Date	Forecast
	(As at 30 April 2017)	
<i>ex. GST</i>	\$	\$
(a) Single Residential	231,978,645	NFP
(b) Multi-units	55,485,037	NFP
(c) Commercial	-	NFP
(d) Other	7,145,167	NFP

Note: NFP – Not for Publication. This information is Commercial-in-Confidence as it relates to future land sales.

**ACTION bus service—fleet
(Question No 171)**

Mr Coe asked the Minister for Transport and City Services, upon notice, on 12 May 2017:

- (1) Further to question on notice No 93, could the Minister advise exactly when in 2016-17, 20 of the total of the 107 buses which do not have air conditioning or climate control systems will be replaced.
- (2) What is the average age of the buses to be replaced.
- (3) Why is the replacement of the remaining 87 buses that lack air conditioning or climate control systems, yet to be scheduled.
- (4) What is the average kilometres travelled of the 107 buses in Transport Canberra's fleet that are aged between 15 to 30 years.
- (5) Is there a higher incidence of breakdowns for those buses aged between 15 to 30 years than for buses aged under 15 years,
- (6) Can the Minister list the routes where the buses aged over 15 years are typically deployed.
- (7) How many buses in the Transport Canberra bus fleet lack accessible features, such as wheelchair accessible or low floors.

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

- (1) As of 29 May 2017, of the 107 buses referred to in QON 93, 10 have already been replaced. A further 10 buses are expected to be delivered to Transport Canberra by 30 June 2017 in order to enter service early in July 2017.
 - (2) The average age of the buses to be replaced is 25.19 years.
 - (3) Orders for additional replacement buses are subject to funding procurement process.
 - (4) On average, buses aged between 15 and 30 years in the Transport Canberra fleet have travelled approximately 1.2 million kilometres.
 - (5) Generally, buses aged over 15 years are subject to a higher rate of breakdowns compared to those aged under 15 years.
 - (6) Buses aged over 15 years are not typically deployed on any particular routes within the ACTION bus network. They perform a variety of runs comprising numerous routes across the network.
 - (7) There are currently 95 buses in the Transport Canberra bus fleet that do not have wheelchair access or low floors.
-

**Transport—electric bike trial
(Question No 173)**

Mr Coe asked the Minister for Climate Change and Sustainability, upon notice, on 12 May 2017:

- (1) Can the Minister provide a breakdown of the total cost of the electric bike trial to date under relevant categories, including (a) the cost of each bike, (b) maintenance, (c) additional equipment and (d) any other relevant categories.
- (2) Can the Minister list any additional equipment provided to users in addition to the bike itself, and the cost of acquiring and/or installing the equipment.
- (3) Can the Minister provide the total number of electric bikes purchased for the trial, and the average amount of bikes at each directorate location.
- (4) Can the Minister provide how many individuals (a) use the bikes on a weekly basis, (b) use the bikes on a monthly basis and (c) have used the bikes in total during the trial.
- (5) What logs are kept of the trips between directorates using the bikes.
- (6) Can the Minister, if possible, identify the most frequently undertaken trip and the number of times that trip has been completed in the trial to date.
- (7) Can the Minister, if possible, identify the most rarely undertaken trip and the number of times that trip has been completed in the trial to date.
- (8) What other directorates and locations have been or are being considered for inclusion within the trial.
- (9) When will additional directorates be added to the trial.
- (10) Can the Minister provide the average cost to include an additional directorate in the trial.
- (11) Can the Minister provide data on directorate vehicle use prior and during the trial, including (a) the number of trips, (b) running costs, (c) parking costs, (d) maintenance costs, (e) taxi costs, (f) bus fares and (g) any other relevant comparative measures used to determine the effectiveness of the trial.
- (12) What are the plans to utilise the electric bike fleet after the completion of the new Civic building.

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

- (1) Costs of the trial are as follows, noting that all figures are GST exclusive.
 - (a) The cost of each electric bike was \$2545.55.
 - (b) The maintenance cost of each bike is \$131.82 per service (two services are conducted per year).

- (c) The cost of additional equipment included wheel and cable locks (\$127.28 per bike) and a rear basket (\$45.45 per bike). Each electric bike also had signage produced and installed at a total cost of \$573.64.
- (d) Installation of a GPS unit and data platform subscription cost \$362.73 per bike initially, with an ongoing annual cost of \$271.80 per year.
- (2) Riders are provided with a bike helmet each time they loan out an electric bike. Eight helmets were purchased at a cost of \$45.45 each.
- (3) Eight electric bikes were purchased; there are 4 pairs of bikes currently located at four Directorates (EPSDD, TCCS, EDU and CMTEDD).
- (4)
- (a) The trial is not currently monitoring weekly use of the electric bikes, rather it plans to monitor bike trip usage overall.
- (b) It is estimated that more than 45 individuals use the electric bikes per month, with most users booking the electric bikes multiple times per month.
- (c) There are currently 207 individuals across Government that have been inducted in using the electric bikes.
- (5) A GPS tracking device has been fitted to each electric bike, providing a database of trip information for the trial.
- (6) The trial was established to provide electric bikes for the trips most commonly undertaken along the corridor between Dickson and Civic. The electric bikes are currently located at four locations along that route, and around 30 trips per month on average have occurred along the route between Dickson and Civic.
- (7) The trial was established to provide electric bikes for the trips most commonly undertaken along the corridor between Dickson and Civic. There have, however been some trips to alternative destinations; for example, one return trip was undertaken between Dickson and Woden.
- (8) All directorates have been invited to participate in the Ebike Project Control Group (PCG) which meets quarterly. Information and updates on the trial are communicated regularly through whole of government channels such as the Carbon Neutral Government Implementation Committee (CNGIC) which meets quarterly.
- (9) All directorates are already included in the electric bike Project Control Group.
- (10) There are no plans to expand to other Directorates during the trial. The current electric bike assets can be rotated to other Directorates pending results of the initial trial or if additional bikes are purchased this cost is outlined at points 1 and 2 above.
- (11) These outcomes will be determined as part of the evaluation of the trial.
- (12) The electric bikes are assets purchased by ACT Government and will be retained by ACT Government after the trial is completed. The findings of the trial will be used to determine the potential locations of the bikes following the trial.
-

**Icon Water—board remuneration
(Question No 175)**

Mr Coe asked the Chief Minister, upon notice, on 12 May 2017 (*redirected to the Treasurer*):

- (1) Can the Chief Minister please outline the process for determining the remuneration of
(a) members of the Board of Icon Water and (b) executives of Icon Water.
- (2) Are bonuses, including for performance, payable to (a) members of the Board of Icon Water and (b) executives of Icon Water.
- (3) If the answer to part (2)(a) and (b) above is yes, provide the (a) criteria and the approval process for the payment of bonuses to Board members, (b) criteria and the approval process for the payment of bonuses to executives, (c) total amount paid in bonuses to members of the Board in (i) 2013-14, (ii) 2014-15, (iii) 2015-16 and (iv) 2016-17 to date and (d) total amount paid in bonuses to members of the executive in (i) 2013-14, (ii) 2014-15, (iii) 2015-16 and (iv) 2016-17 to date.

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

1. (a) Under Clause 58 of the Icon Water Constitution, remuneration for Directors is determined by Icon Water's Voting Shareholders. In setting remuneration, consideration is given to the ACT Remuneration Tribunal's Determinations for Part-time Public Office Holders. In addition, the Voting Shareholders consider other factors including the current level of remuneration in the water and sewerage industry and the need to recruit and retain board directors with the expertise and skills necessary to meet the requirements of Section 12 of the Territory-owned Corporations Act.

(b) Icon Water has a robust and transparent remuneration framework for the Executive. The remuneration framework includes evaluations for each executive role, conducted by an independent remuneration consultant with specialist expertise in the utilities sector. As part of these evaluations, the independent expert also conducts remuneration benchmarking utilising data from the All Utilities index. In addition, the Board meets as the Remuneration Committee to discuss remuneration issues for the Managing Director.

Details of the Icon Water Board and executive remuneration are made publicly available each year in Icon Water's Annual Report to the ACT Government.

2. (a) Bonuses are not payable to Icon Water Board members.
(b) Bonuses are not payable to Icon Water Executives.
3. (a) Not applicable.
(b) Not applicable.
(c) Not applicable.
(d) (i) 2013-14 = \$214,720 (as published in ACTEW Corporation Annual Report to the ACT Government 2013-14).
(ii) 2014-15 – not applicable.
(iii) 2015-16 – not applicable.
(iv) 2016-17 to date – not applicable.

**Transport—light rail
(Question No 184)**

Mr Coe asked the Minister for Transport and City Services, upon notice, on 12 May 2017:

- (1) Can the Minister provide the status of works for the construction of stage 1 of the light rail project and is it in accordance with the timeframe set out in the Indicative Construction Timetable 2016-2018.
- (2) What is the current status of works on stage 1 of the light rail project and when each zone is expected to be completed for (a) Zone 1 – Gungahlin Terminus to Hibberson Street, (b) Zone 2 – Flemington Road North, (c) Zone 3 – Flemington Road South, (d) Zone 4 – Federal Highway, (e) Zone 5 – Northbourne Avenue, (f) Zone 6 – Civic terminus, (g) Mitchell Depot and (h) overhead wires, cabling and final testing.

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

1. The project is progressing generally in line with the Indicative Construction Timetable 2016-18.
2. Works in the zones are progressing generally in line with the Indicative Construction Timetable 2016-18.

<https://www.transport.act.gov.au/light-rail-network/construction-map-and-timetable>

**Transport—light rail
(Question No 186)**

Mr Coe asked the Minister for Transport and City Services, upon notice, on 12 May 2017:

- (1) Have any payments been made to date to Canberra Metro for stage 1 of the light rail project; if so, list those payments and the reason for each payment.
- (2) Have any payments been made for work, including any purchases, associated with stage 1 of the light rail project that is not the responsibility of Capital Metro; if so, list those payments and the reason for each payment.
- (3) Have any additional project enhancements been identified for stage 1 of the light rail project; if so, outline the nature of those enhancements and the estimated costs.
- (4) When is the first annual availability payment expected to be made to Canberra Metro and what is the expected value of that availability payment.
- (5) What is the schedule for subsequent annual availability payments and the amount to be paid each year.
- (6) What is the projected date for the payment of the Territory contribution to Canberra Metro and the value of that payment.

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

- (1) The light rail project is an availability payment based Public Private Partnership which uses a 'securitised licence structure' for payment of the project. Under this arrangement, the Territory does not pay for construction activities over the delivery phase, but it does pay for the GST on these activities as they are considered to be for services provided. As a consequence of using this structure, no cash passes between the Territory and Canberra Metro in this phase (other than in relation to GST amounts - which the Territory claims back from the Australian Taxation Office). The invoices processed to date amount to \$22.48 million.
- (2) No.
- (3) A number of minor project modifications have been resolved with Canberra Metro to date with a net cost saving to the Territory of approximately \$500,000.00. Other potential project modifications are subject of commercial discussions between the Territory and Canberra Metro.
- (4) As described in the Project Summary available on the website, the monthly Service payments will commence in 2018/19 financial year and are reflected in the schedule below.
- (5) Schedule annual availability payments:-

Financial Year Ended 30 June:	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Availability Payments (\$'000s) ¹	36,061	54,269	54,719	55,841	56,811	59,240	59,316	62,970	60,237	61,870	62,954
Financial Year Ended 30 June:	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040
Availability Payments (\$'000s) ¹	64,257	67,025	67,296	78,534	68,971	70,461	71,370	73,329	75,884	12,937	0

Note 1: Figures in Table 6 are in nominal (future) dollars

- (6) 2 Business Days after the date on which the Certificate of Services Completion is issued, Project Co must deliver a notice, in the form of a valid Tax Invoice, to the Territory for the Territory Contribution to be paid (Territory Contribution Notice).

The Territory must pay the Territory Contribution to Project Co within 20 Business Days after receipt by the Territory of the Territory Contribution Notice which has been correctly given in accordance with clause 31 .2(a) by deposit into the Territory Contribution Account (as defined in the Finance Direct Deed).

As described in the Project Summary available on the website, the Territory Contribution is \$375 million. It is forecast for payment in late 2018.

ACTION buses—disability access (Question No 190)

Mr Coe asked the Minister for Transport and City Services, upon notice, on 12 May 2017:

- (1) What percentage of the Transport Canberra bus fleet is currently Easy Access, wheelchair accessible.
- (2) Will the target of 80% of the fleet being Easy Access, wheelchair accessible by 31 December 2017 be achieved; if not, (a) why won't the target be met and (b) when does Transport Canberra expect that the target level of 80% will be achieved.
- (3) When will 100% of the Transport Canberra bus fleet be Easy Access, wheelchair accessible.

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

- (1) Currently 77.8% of the Transport Canberra bus fleet is Easy Access, wheelchair accessible.
- (2) It is expected that the target figure of 80% of the Transport Canberra bus fleet being Easy Access, wheelchair accessible will be met with the delivery of the remainder of the current order of buses from Scania Australia. This order is expected to be completed by end of June 2017.
- (3) It is expected that the Transport Canberra fleet will be 100% Easy Access, wheelchair accessible by 31 December 2022 in line with the requirements of the *Disability Discrimination Act 1992*.

Canberra and Queanbeyan Cycling and Walking Map (Question No 191)

Mr Coe asked the Minister for Transport and City Services, upon notice, on 12 May 2017:

- (1) When was the Canberra and Queanbeyan Cycling and Walking Map last updated.
- (2) What was the cost of developing the Canberra and Queanbeyan Cycling and Walking Map.
- (3) What ACT suburbs are not included on the current version of the Map.
- (4) When will the Map next be updated.
- (5) Will paper versions of the Map be produced.

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

- (1) The Canberra and Queanbeyan Cycling and Walking Map was last updated in 2012.
- (2) The original map was developed circa 2005, though the original costs of its development are unknown. 2017 updates to the map will cost \$6,000.
- (3) ACT suburbs not included in the map are: Moncreiff, areas of Casey and Bonner, West Macgregor, North Weston, Coombs, Wright and Denman Prospect.

- (4) It is anticipated the map will be updated by July 2017.
- (5) Paper versions of the map will be produced. The updated map will also be available online.

Waste—green bins (Question No 192)

Mr Coe asked the Minister for Transport and City Services, upon notice, on 12 May 2017:

- (1) What is the cost of the green bin pilot scheme in the financial years (a) 2016-17 and (b) 2017-18.
- (2) How many registrations have been received to date for the green bin pilot scheme.
- (3) Has any information been collected from the residents who have registered for the pilot scheme on how they have disposed of their green waste previously.
- (4) What is the total number of registrations for the green bin pilot scheme in the suburbs of (a) Chapman, (b) Duffy, (c) Fisher, (d) Holder, (e) Rivett, (f) Stirling, (g) Waramanga, (h) Weston and (i) Kambah.
- (5) Of the total number of registrations received to date, what percentage does that amount equate to of the total number of households in the pilot areas of the Weston Creek suburbs and of Kambah.
- (6) How many households that have registered for the trial to date have paid the one-off \$50 registration fee.
- (7) What is the total amount received to date in registration fees.
- (8) When will the pilot scheme be rolled out to suburbs in Tuggeranong.
- (9) What issues have been identified to date in the rollout of the pilot scheme and the collection of green waste in the suburbs of Weston Creek and Kambah.

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

- (1) The forecast spend for the pilot is outlined below

2016-17	2017-18
\$1.272m	\$2.571m

- (2) As at 15 May 2017 the total number of registrations was 7,165.
- (3) The contracted service provider has engaged an education and marketing officer for the purpose of actively engaging with residents and to undertake various surveys. Information collected will inform lessons learnt and be integral to the pilot's evaluation.

(4)

Chapman	Duffy	Fisher	Holder	Rivett
562	593	579	541	627
Stirling	Waramanga	Weston	Kambah	Total
387	488	654	2,734	7,165

(5) The total number of registrations received to date (15 May 2017) represents 43.2% of households in the pilot areas of Weston Creek and Kambah.

(6) As at 15 May 2017, 4,671 customers have paid the \$50 fee. The remaining 2,494 relates to eligible concession cardholders.

(7) As at 15 May 2017, approximately \$234,000 has been received.

(8) The Tuggeranong rollout is scheduled to commence the third quarter in 2018.

(9) Approximately 50 residents experienced a one-day delay in bin collections as a result of a mechanical issue with the contractor's truck. This issue was resolved quickly and in accordance with the operations plan.

Residents in non-pilot areas have been contacting TCCS and the contractor enquiring about the rollout in their suburbs.

Public housing—redevelopment (Question No 194)

Mr Coe asked the Minister for Housing and Suburban Development, upon notice, on 12 May 2017:

- (1) Why is information about the proposed public housing developments in Monash, Mawson, Chapman, Holder and Wright not displayed on the ACT Government's 'Your Say' website as well as on, or instead of, the website of the Public Housing Renewal Taskforce.
- (2) Was consideration given to holding a multi-stage consultation process for the proposed sites in part (1) similar to the process followed for the consultation on the redevelopment of the Red Hill Public Housing precinct.
- (3) What lessons have been learned to date from the approach undertaken for consultation on the proposed sites in part (1).
- (4) Will future proposed developments be handled in a different way; if so, outline the approaches that may be followed in the future.

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

- (1) Information was made available on the Public Housing Renewal Taskforce's (the Taskforce) website as the most appropriate place for consultation seeking site-specific feedback from the community.

- (2) The Taskforce is currently undertaking a multi-stage consultation, as has been done with some previous sites.
- (3) Community feedback is a critical part of the public housing renewal program. The program is continuing to evolve to take account of feedback received. The Taskforce will undertake a full review of lessons learned at the completion of the process. The Taskforce has identified different venue requirements for any future consultation sessions.
- (4) The consultation approach for future sites will be developed based on the specific characteristics of each site. A site-by-site approach is important given the different features of various locations across Canberra.

**Justice and Community Safety Directorate—employee assistance program
(Question No 197)**

Mr Coe asked the Attorney-General, upon notice, on 12 May 2017:

- (1) Can the Minister provide for each quarter of the financial years (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) 2016-17 to date, the (i) total headcount of the Justice and Community Safety Directorate and (ii) number of staff who accessed the employee assistance scheme.
- (2) For each of the financial years in part (1), provide the total cost of the employee assistance scheme.
- (3) For each of the financial years (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) 2016-17 to date, what was the average number of personal leave days taken (based on full-time equivalent work days) and the personal leave absence percentage rate for staff of the Justice and Community Safety Directorate.

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

(Q1 &2)

Table 1, Headcount, EAP Usage and Costs

Financial Year	Quarter	Average Headcount	EAP Usage by Qtr	EAP Total Costs by Year
2012-13	Q1 - Jul-Sep	1843	19	\$24,363
	Q2 - Oct-Dec	1848	16	
	Q3 - Jan-Mar	1867	16	
	Q4 - Apr-Jun	1893	18	
2013-14	Q1 - Jul-Sep	1916	21	\$41,401
	Q2 - Oct-Dec	1919	26	
	Q3 - Jan-Mar	1935	19	
	Q4 - Apr-Jun	1937	18	
2014-15	Q1 - Jul-Sep	1941	18	\$44,059
	Q2 - Oct-Dec	1923	17	
	Q3 - Jan-Mar	1948	22	
	Q4 - Apr-Jun	1647	23	

Financial Year	Quarter	Average Headcount	EAP Usage by Qtr	EAP Total Costs by Year
2015-16	Q1 - Jul-Sep	1651	18	\$38,150
	Q2 - Oct-Dec	1672	22	
	Q3 - Jan-Mar	1694	23	
	Q4 - Apr-Jun	1710	22	
2016-17	Q1 - Jul-Sep	1738	23	\$30,286 (YTD)
	Q2 - Oct-Dec	1765	15	
	Q3 - Jan-Mar	1782	25	

(Q 3)

Table 2 -Average number of personal leave days taken (based on full-time equivalent work days) and the personal leave absence percentage rate for staff of the Justice and Community Safety Directorate (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) 2016-17 to date.

Financial Year	Average Number of Personal Leave Days Taken (based on FTE work days) **	Personal Leave Absence % rate
2012-13	12.9	5.0%
2013-14	13.5	5.5%
2014-15	11.5	5.3%
2015-16	12.7	5.9%
2016-17 (Jul - Dec 16)	7.51	6.1%

Community Services Directorate—employee assistance program (Question No 202)

Mr Coe asked the Minister for Community Services and Social Inclusion, upon notice, on 12 May 2017:

- (1) Can the Minister provide for each quarter of the financial years (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) 2016-17 to date, the (i) total headcount of the Community Services Directorate and (ii) number of staff who accessed the employee assistance scheme.
- (2) For each of the financial years in part (1), provide the total cost of the employee assistance scheme.
- (3) For each of the financial years (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) 2016-17 to date, what was the average number of personal leave days taken (based on full-time equivalent work days) and the personal leave absence percentage rate for staff of the Community Services Directorate.

Ms Stephen-Smith: The answer to the member's question is as follows:

- (1) (i) The total headcount of the Community Services Directorate for each quarter of the financial years 2012-13 to 2016-17 to date appears below:

Reporting Date	Total CSD Headcount
September 2012	1336
December 2012	1358
March 2013	1304
June 2013	1320
September 2013	1287
December 2013	1311
March 2014	1314
June 2014	1331
September 2014	1304
December 2014	1300
March 2015	1272
June 2015	1244
September 2015	1190
December 2015	1122
March 2016	1106
June 2016	1046
September 2016	950
December 2016	904
March 2017	880
17 May 2017	881

(ii) number of staff who accessed the employee assistance scheme.

Year	Number
2012-13	120
2013-14	176
2014-15	182
2015-16	273
2016-17 (YTD)	160

(2) For each of the financial years in part (1), provide the total cost of the employee assistance scheme.

Year	EAP Service Cost
2012-13	\$ 40,435.00
2013-14	\$ 118,883.00
2014-15	\$ 139,763.00
2015-16	\$ 197,086.00
2016-17 (YTD)	\$ 120,846.00

(3) Information on personal leave days taken and the personal leave absence percentage rate for staff of the Community Services Directorate for the financial years requested is available in the ACT Public Service State of the Service Report, which is publicly available. Please note that information for the 2016-17 financial year will be available after 30 June 2017.

**Land—development
(Question No 203)**

Mr Coe asked the Minister for Regulatory Services, upon notice, on 12 May 2017:

- (1) How many blocks in the Territory remain undeveloped by lessees beyond the timeframe of six years.
- (2) How many blocks in the suburbs of (a) Bonner, (b) Casey, (c) Crace, (d) Forde, (e) Franklin, (f) Gungahlin, (g) Harrison, (h) Jacka, (i) Ngunnawal, (j) Nicholls and (k) Palmerston remain undeveloped beyond the six year timeframe.
- (3) What action is taken to encourage lessees to develop their blocks.
- (4) Are lessees required to seek an extension of the standard period to develop a block.
- (5) Is any follow-up undertaken if a block remains undeveloped beyond the six year timeframe and a lessee has not applied for an extension.
- (6) What action is taken to ensure that undeveloped blocks are maintained and do not become covered with rubbish or weeds.
- (7) Are undeveloped blocks inspected to check they are being maintained; if so, what is the frequency of inspections.
- (8) What is the total amount of revenue received from lessees who have not developed their blocks within the six year timeframe in the financial years (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) 2016-17 to date.

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

- (1) There are 99 blocks in the ACT that remain undeveloped beyond the six year timeframe.
- (2) The number of blocks that are undeveloped beyond the six year timeframe are:

(a) Bonner:	17
(b) Casey:	7
(c) Crace:	1
(d) Forde:	6
(e) Franklin:	9
(f) Gungahlin:	12
(g) Harrison:	2
(h) Jacka:	0
(i) Ngunnawal:	2
(j) Nicholls:	1
(k) Palmerston:	0
- (3) Access Canberra performs a historical audit on all parcels of land in the ACT. This audit is conducted to identify and notify lessees of any breaches to the building and development provisions contained within the Crown lease.

- (4) Lessees are required to lodge an application for an extension of time to comply if the Crown lease is in breach of the building and development provisions prior to 1 April 2014.
- (5) For breaches prior to 1 April 2014, the lessee is required to lodge an application for extension of time. A lessee is not required to lodge an application for extension for breaches post 1 April 2014 (Access Canberra notifies the lessee of a breach).
- (6) If Access Canberra determines that a lessee is not complying with the conditions of their lease, officials engage with the lessee to educate and support them to understand their responsibilities and take steps to become compliant.
- (7) There is no programmed inspection of undeveloped blocks. Blocks are inspected based on issues raised or complaints received.
- (8) Estimated revenue from undeveloped blocks within the six year timeframe:

(a) 2012-13:	Nil*
(b) 2013-14:	\$2,000
(c) 2014-15:	\$36,146.66
(d) 2015-16:	\$271,966.59**
(e) 2016-17 (to date):	\$23,549.12

*Noting the six year timeframe came into effect for breaches on or after 1 April 2014.

**Includes approximately ten commercial blocks in breach this financial year.

Government buildings—electrical systems (Question No 208)

Mr Coe asked the Speaker, upon notice, on 12 May 2017:

- (1) Can the Minister provide, in relation to ACT Government buildings and facilities that fall under the Minister's portfolio responsibilities if there have been any faults reported with electrical switchboards installed in those buildings or facilities in the financial years (a) 2013-14, (b) 2014-15, (c) 2015-16 and (d) 2016-17 to date; if so, (i) the name and location of the building or facility affected, (ii) the date and the number of faults, (iii) the cost of the repair and (iv) if the faults have since been rectified.

Are the electrical switchboards installed in ACT Government buildings and facilities that fall under the Minister's portfolio responsibilities compliant with current Australian/New Zealand wiring and safety standards; if not, list the name and location of the building or facility that houses non-compliant electrical switchboards.

- (3) Are electrical switchboards brought up to the latest Australian standards when building works or refurbishments are carried out on Territory-owned properties.
- (4) Is there a schedule of maintenance for electrical switchboards installed in ACT Government and buildings and facilities that fall under the Minister's portfolio responsibilities; if so, outline the frequency of maintenance.
- (5) Is there a schedule of inspections or safety audits for electrical switchboards; if so, outline the frequency of the inspections or safety audits.

- (6) Are there any current contracts in place to maintain the electrical switchboards installed in ACT Government and buildings and facilities that fall under the Minister's portfolio responsibilities; if so, list the contract number, period of contract and value of the contract.
- (7) What ACT Government buildings and facilities that fall under the Minister's portfolio responsibilities are deemed to be part of ACT's critical infrastructure.

Madam Speaker: The answer to the member's question is as follows:

- (1) No faults have been reported with electrical switchboards installed in the Legislative Assembly Building in any of the years included in the member's question.
- (2) Yes. Electrical switchboards installed in the Legislative Assembly Building were upgraded in recent years to adhere to the change in the relevant Australian Standard that required, by 2016, that all switchboards be upgraded to include Residual Current Device (RCD) protection.
- (3) Yes.
- (4) Yes. On an annual basis, the Assembly's contractor performs a maintenance inspection on the electrical distribution board and the mechanical switchboard and conducts thermographic testing and reporting of those test results. Under the relevant contract, additional quarterly maintenance and inspections are performed on the mechanical switchboard.
- (5) See (4) above.
- (6) Yes, although the maintenance of electrical switchboards is just one of a number of electrical services and other building services that are maintained under the contract:
 - The contract number is 2013.20610.210;
 - The contract commenced for a period of two years on 1 May 2013 and, in accordance with the provisions of the contract, has been extended for two further periods of two years, meaning that the contract will now expire on 30 April 2019; and
 - Because the contract is for the provision of a broader range of electrical and building services than the maintenance of electrical switchboards, it is not possible to identify the cost of the electrical switchboard maintenance element.
- (7) The Office of the Legislative Assembly is unaware whether the Legislative Assembly Building is deemed to be part of the ACT's critical infrastructure and, in fact, whether or not such a determination has been made by the ACT Government.

**Real estate agents—panel
(Question No 236)**

Mr Coe asked the Minister for Economic Development, upon notice, on 12 May 2017 (*redirected to the Minister for Housing and Suburban Development*):

- (1) Can the Minister provide the list of Commercial and Residential agents currently on the Panel in relation to contract number 2013.18426 for the Panel of Commercial and Residential Property Agents.
- (2) What is the total amount paid to each agent on the Panel for the financial years (a) 2013-14, (b) 2014-15, (c) 2015-16 and (d) 2016-17 to date.
- (3) For the amounts in part (2)(a) to (d) what percentage does each amount represent of the total spend under contract 2013.18426.
- (4) In the circumstance when Panel members have submitted invoices to a value in excess of \$25,000, have those invoices been published on ACT Government Notifiable Invoices Register.
- (5) If invoices exceeding \$25,000 have not been published on the ACT Government Notifiable Invoices Register, what is the reason for failing to publish.
- (6) What criteria are used to determine which agent on the Panel will be allocated work under the contract.
- (7) When will contract 2013.18426 expire.
- (8) Will contract 2013.18426 be extended or will a new process be held to appoint agents to the Panel of Commercial and Residential Property Agents.

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

- (1) Ten firms make up the panel. They are:
 ACTGALL Pty. Limited (trading as **Raine and Horne Commercial Canberra**);
 Canberra Wide Pty Ltd (trading as **Luton Properties**);
CBRE (V) Pty. Limited;
Colliers International Pty. Limited;
 CP Commercial Pty. Limited (previously trading as **Ray White**, now trading as **Civium**);
Independent Property Group Sales Pty. Limited;
Jones Lang LaSalle (ACT) Pty. Limited;
Knight Frank Australia Pty. Ltd;
 Manuka Realty Pty. Ltd (trading as **MMJ**); and
 Scithom Realty ITF Scithom Unit Trust (trading as **LJ Hooker**).

- (2) The table below details the amount paid to each agent on the Panel by financial year:

Firm	(a) 2013-14 (\$m)	(b) 2014-15 (\$m)	(c) 2015-16 (\$m)	(d) 2016-17 to date (\$m)
Raine and Horne Commercial Canberra	1.384	0.346	0.096	0
Luton Properties	0	0.012	0	0
CBRE (V) Pty. Limited	1.503	0.221	0.074	0.065
Colliers International Pty. Limited ;	0.245	0.622	2.326	0.518
Ray White	0	0.351	0.289	0

Firm	(a) 2013-14 (\$m)	(b) 2014-15 (\$m)	(c) 2015-16 (\$m)	(d) 2016-17 to date (\$m)
Independent Property Group Sales Pty. Limited	1.046	1.450	0.926	0.119
Jones Lang LaSalle (ACT) Pty. Limited	0.037	0.383	0	0.103
Knight Frank Australia Pty. Ltd	0.158	0.112	0.056	0.144
MMJ	0.153	0.025	0	0.127
LJ Hooker	0.125	0.253	0.125	0

(3) The table below details the total spend as a percentage by financial year 2013-14, 2014-15, 2015-16 and 2016-17 to date for each Panel agent:

Firm	2013-14 (%)	2014-15 (%)	2015-16 (%)	2016-17 to date (%)	Percentage of total spend
Raine and Horne Commercial Canberra	10.3	2.6	0.7	0	13.6
Luton Properties	0	0.1	0	0	0.1
CBRE (V) Pty. Limited	11.2	1.6	0.6	0.5	13.9
Colliers International Pty. Limited;	1.8	4.6	17.4	3.9	27.7
Ray White	0	2.6	2.2	0	4.8
Independent Property Group Sales Pty. Limited	7.8	10.8	6.9	0.9	26.4
Jones Lang LaSalle (ACT) Pty. Limited	0.3	2.9	0	0.8	3.9
Knight Frank Australia Pty. Ltd	1.2	0.8	0.4	1.1	3.5
MMJ	1.1	0.2	0	0.9	2.3
LJ Hooker	0.9	1.9	0.9	0	3.8

(4) Yes.

(5) Not applicable.

(6) The LDA appoints sales agents based on specialist skills they offer relevant to the type and nature of the release, previous work allocation, past performance and value for money.

For major releases such as new subdivisions and englobo sales, appropriately skilled agents on the panel were invited to submit their marketing proposals, the nature of services or products offered and a quote for services.

(7) The panel is due to expire on 30 June 2017.

- (8) A Request for Tender for a new panel (*Panel of Commercial and Residential Agents*) was advertised on 24 March 2017 and closed on 27 April 2017. Submissions are currently being assessed and the panel is expected to be in place by 1 July 2017.
-

**ACTION bus service—network
(Question No 237)**

Mr Coe asked the Minister for Transport and City Services, upon notice, on 12 May 2017:

Can the Minister outline any anticipated bus network updates between now and the first quarter of 2018 and (a) the expected date of delivery, (b) the nature of the update of the bus network, (c) the budgeted cost of implementing the update, (d) what community consultation has been planned or undertaken with regards to these updates, (e) the expected outcomes of the update, including predicted patronage or revenue change and (f) how the update will interact with the light rail project during the construction phase and upon completion of Stage 1 of light rail.

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

The ACT Government has committed to the progressive roll out of an expanded Rapid bus network, with the introduction of the green and black Rapid bus services scheduled for later in 2017. Further details regarding the required timetable changes to integrate the bus network with Stage 1 light rail will be released at a later date.

**Legislative Assembly—tabling of government responses
(Question No 238)**

Mr Coe asked the Chief Minister, upon notice, on 12 May 2017 (*redirected to the Speaker*):

- (1) How many Government responses have been tabled four months or more after the initial reports were presented to the Assembly for every year since 2007 to date, and include the (a) committee, (b) report number, (c) report title, (d) date the report released or presented to the Assembly, (e) date the Government response was presented to the Assembly and (f) number of days between the release or presentation of the report to the Assembly and the Government response.
- (2) How many times has standing order 254A been exercised since its commencement, and the details surrounding its use, including (a) the committee, (b) the report number, (c) the report title, (d) the date the report was released or presented to the Assembly, (e) the number of days after the report was tabled standing order 254A was exercised, (f) the date the Government response was presented to the Assembly, (g) the reason provided to the chair or committee for the delay in tabling the Government response, (h) the number of days after the invocation of standing order 254A a response to the report tabled in the Assembly or a statement was given by the Minister, (i) the number of days between the release or presentation of the report to the Assembly and the Government response and (j) any further relevant information relating to the use of 254A by chairs of the committee or the performance of Ministers.

- (3) What is the average number of days between a report being tabled and standing order 254A being exercised since the standing order's commencement.
- (4) What is the average number of days between standing order 254A being exercised and a response or explanation being tabled by the Minister since the standing order's commencement.
- (5) Are there any additional orders, guidelines, or procedures that take effect if a report from a previous Assembly has not had a Government response tabled; if so, outline what additional orders, guidelines, or procedures are in place to manage a report from a previous Assembly where there has been no response; if not, do the reports without Government responses remain outstanding in perpetuity.
- (6) Is there an onus on committee chairs to exercise standing order 254A at any point after four months have passed since the initial tabling of the report.
- (7) What actions are undertaken if the Government has not submitted a response to a report tabled in a previous Assembly.
- (8) Do Standing Committee chairs have the power under standing order 254A to ask the relevant Minister for an explanation or statement in relation to an outstanding committee report from a previous Assembly; if not, what are the procedures to obtain a Government response to a report to a committee report from a previous Assembly.
- (9) Have there been any discussions or assessments done in relation to inserting a new standing order, or amending standing order 254A, to automatically trigger and require a Minister to provide a response after an allotted period of time has passed.

Madam Speaker: The answer to the member's question is as follows:

- (1) The number of Government responses tabled four months or more after the tabling of a report in the Assembly for the year 2007 to 2016 and year 2017 to date is set out below:

Year	*Government responses tabled four months or more
2007	14
2008	18
2009	4
2010	3
2011	7
2012	18
2013	1
2014	2
2015	9
2016	5
2017	1

Note: *See attachment for details of (a) committee, (b) report number, (c) report title, (d) date the report released or presented to the Assembly, (e) date the Government response was presented to the Assembly and (f) number of days between the release or presentation of the report to the Assembly and the Government response from 2007 to present.

- (2) Standing order 254A has been invoked three times since its commencement as a temporary order on 9 December 2008.
- 1 – (a) Standing Committee on Health, Community and Social Services
- (b) Report No 4
 - (c) Love Has Its Limits—Respite care services in the ACT
 - (d) Report tabled 7 December 2010
 - (e) Motion to take note of failure to provide Government response was moved and negated on 31 March 2011 (114 days after report was tabled)
 - (f) Government response tabled 5 April 2011
 - (g) The Minister, in response to the motion, advised that she had previously advised the Chair of the Committee by letter that a response to the report would be late and expected it to be tabled in the sitting week of 29-31 March 2011. In the Minister's response to the motion proposed by Mr Doszpot MLA, she indicated that the tabling of the response had been scheduled for the next sitting week (5-7 April 2011).
 - (h) Five days
 - (i) 119 days
 - (j) N/A
- 2 – (a) Standing Committee on Justice and Community Safety
- (b) Report No 2
 - (c) Inquiry into the Crimes (Murder) Amendment Bill 2008
 - (d) Report tabled 27 August 2009
 - (e) Failure to provide Government response moved and agreed to on 7 April 2011 (588 days after report was tabled)
 - (f) Partial Government response tabled 15 September 2009, Government response tabled 3 May 2011
 - (g) The Minister took the inquiry on notice as he did not have the details to hand
 - (h) 26 days
 - (i) 19 days to partial response, 614 days to full response
 - (j) N/A
- 3 – (a) Standing Committee on Public Accounts
- (b) Reports Nos 14 and 15
 - (c) Review of Auditor-General's Report No 6 of 2009: Government Office Accommodation—Interim report and Inquiry into the *ACT Auditor-General Act 1996*
 - (d) Report 14 tabled 15 February 2011 and Report 15 tabled 17 February 2011
 - (e) Failure to provide Government responses moved and agreed to on 28 June 2011 (133 days and 131 days, respectively, after reports were tabled)
 - (f) Government responses tabled 16 August 2011

- (g) Minister Gallagher and Minister Barr both advised that, with the change of leadership and ministerial responsibilities, there had been unfortunate delays. The Ministers had written to the Committee regarding the delays.
 - (h) 49 days
 - (i) 182 days and 180 days, respectively
 - (j) Note that in 2011 there were no sitting days between 30 June and 16 August 2011. There was no capacity at that time for a government response to be “tabled out-of session”.
- (3) Average of 241.5 days.
- (4) Average of 32.25 days.
- (5) The Speaker tables half yearly a summary of government responses to committee reports including outstanding responses from previous assemblies.
- (6) The option to use standing order 254A is the prerogative of the Chair. The intention of the standing order was to seek an explanation as to why a response has not be provided and provide committees with an opportunity to follow up their committee reports.
- (7) None, unless initiated by the Chair of the Committee.
- Government responses are tracked by the Committee Office and the Speaker tables every six months a Schedule of Government Responses to Committee reports.
- (8) No. Standing order 254A applies to current chairs of current committees.
- A Member may however, propose a motion through the normal Assembly business process, requesting a response or alternatively use the Questions on Notice process.
- (9) No. Standing order 16 requires that in the third year of an Assembly term it shall inquire into and report on the operation of the standing orders and continuing resolutions of the Assembly with a view to ensuring that the practices of the Assembly remain relevant and reflect best practice. Any Member who considers a new standing order or an amended standing order is required could utilise that process if they so choose.

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

Legislative Assembly—tabling of government responses (Question No 241)

Mr Coe asked the Attorney-General, upon notice, on 12 May 2017:

- (1) Why has the Government not tabled a response to the Justice and Community Safety Standing Committee’s Report No. 12 of 2015: Crimes Legislation Amendment Bill 2011 and the Crimes (Offences against Police) Amendment Bill 2012 presented to the Assembly on 5 June 2012 during the Seventh Assembly.
- (2) Will a response to the report in part (1) be tabled in the Ninth Assembly; if so, what deadline will be set for the response to be tabled before the Assembly; if not, explain why no response will be forthcoming from the Government.

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

- (1) The Justice and Community Safety Standing Committee's Report No.12 of 2012 recommended that the *Crimes Legislation Amendment Bill 2011* and the *Crimes (Offences Against Police) Amendment Bill 2012* not be supported by the Legislative Assembly.
- (2) The *Crimes Legislation Amendment Bill 2011* lapsed at the end of the seventh Assembly and the *Crimes (Offences Against Police) Amendment Bill 2012* was negatived on 6 June 2012. In those circumstances, the Government does not consider that it is necessary or relevant to table a response to the report on these bills.

Legislative Assembly—tabling of government responses (Question No 242)

Mr Coe asked the Minister for Health, upon notice, on 12 May 2017:

- (1) Why has the Government not tabled a response to the Health, Ageing, Community and Social Services Standing Committee's Report No. 4 of 2015: Inquiry into the Sourcing and Supply of Dental Prostheses and Appliances to Australian Dental Practitioners from Overseas presented to the Assembly on 17 March 2015 by during the Eighth Assembly.
- (2) Will a response to the report in part (1) be tabled in the Ninth Assembly; if so, what deadline will be set for the response to be tabled before the Assembly; if not, explain why no response will be forthcoming from the Government.

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

- (1) The sole recommendation from the Report, Recommendation 1, states that the *"Committee recommends that the ACT Government should request that the TGA and the Dental Board of Australia consider amending the relevant regulations, codes and guidelines to require the details about the manufacturer of a custom-made dental device to be provided to the prescribing practitioner and the patient."*

The Cabinet Office considered the Report and advised ACT Health that as the Report only contained one recommendation, a letter of response from the Minister for Health, addressing the recommendation would be a suitable reply and would not need Cabinet consideration.

- (2) No, a response to the report in Part (1) will not be tabled in the Ninth Assembly. ACT Health supports the sole recommendation from the Report and correspondence was directed to the Chair of the Dental Board of Australia and the Director of the TGA requesting they consider amending relevant regulations, codes and guidelines to require the details about the manufacture of a custom-made dental device to be provided to the prescribing practitioner and patient. This was signed by the then Minister for Health, Simon Corbell on 26 May 2015.

Correspondence was also directed to Dr Bourke as Chair of the SCHACSS and Dr Lockwood of the Dental Board at the same time, indicating the response to the report.

**Land Development Agency—staffing
(Question No 243)**

Mr Coe asked the Minister for Urban Renewal, upon notice, on 12 May 2017
(*redirected to the Minister for Housing and Suburban Development*):

- (1) How many Land Development Agency employees under Attraction and Retention Incentive (ARIN) Arrangements will have those benefits transferred to their new roles in the (a) City Renewal Authority and (b) Suburban Land Agency.
- (2) Will any of the Land Development Agency staff transferring to the City Renewal Authority or the Suburban Land Agency be impacted by changed employment arrangements; if so, outline the nature of these changes.
- (3) Can the Minister identify whether any staff not previously employed by the Land Development Agency, will be subject to ARIN Arrangements in the (a) City Renewal Authority and (b) Suburban Land Agency.
- (4) Can the Minister provide the anticipated annual cost in 2017-18 of the ARIN arrangements for staff transferred from the Land Development Agency to the (a) City Renewal Authority and (b) Suburban Land Agency.
- (5) Can the Minister provide the anticipated cost of engaging employees in part (3) in 2017-18 under ARIN Arrangements with the (a) City Renewal Authority and (b) Suburban Land Agency.

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

- (1) No Land Development Agency employees transferring to the City Renewal Authority or the Suburban Land Agency have Attraction and Retention Incentive arrangements.
- (2) Some changes will occur to certain executive roles however, it is expected that all public servants will remain employed under the *Public Sector Management Act 1994* and current Enterprise Agreements. Discussions continue about options available to affected executives.
- (3) This is not known at this stage and would be subject to approval by the appropriate delegate.
- (4) This is not known at this stage and would be subject to approval by the appropriate delegate.

**Access Canberra—service delivery
(Question No 246)**

Mr Coe asked the Minister for Regulatory Services, upon notice, on 12 May 2017:

- (1) What are the timeframes that apply when processing Fix My Street submissions lodged with Access Canberra (a) online, (b) by telephone and (c) in person at shop fronts.

- (2) How many requests made to Access Canberra in (a) 2015-16 and in (b) 2016-17 to date indicated they wished to receive a response regarding their query.
- (3) How many requests made to Fix My Street indicating they wished to receive a response received correspondence from Access Canberra in (a) 2015-16 and (b) 2016-17 to date.
- (4) How many days did it take on average for Access Canberra to (a) respond to a submission made on Fix My Street, (b) for the request to be actioned and (c) the resolution be completely implemented.
- (5) Have all submissions lodged in Fix My Street from 2015-16 been actioned and resolved; if not, how many submissions from Fix My Street in 2015-16 are outstanding.
- (6) What is the total number of submissions received by Fix My Street in (a) 2015-16 and (b) 2016-17 to date, provide the categories they related to, including (a) abandoned vehicles, (b) Air pollution, (c) bus stops, (d) cycle lanes (on road), (e) domestic garbage bins and collections, (f) driveway damage, (g) election campaign signage, (h) footpaths, (i) graffiti, (j) grass, (k) litter and illegal dumping, (l) mobile speed camera location suggestions, (m) mountain bike trails, (n) nature strips, (o) outdoor fitness equipment, (p) parking – illegal, (q) pot holes, (r) roads, (s) road safety, (t) road signs, (u) Shared paths (walk/bike), (v) shopping trolley, (w) storm water, (x) street lights, (y) street sweeping, (z) Suburban parks and playgrounds, (aa) survey infrastructure, (ab) traffic, (ac) traffic lights, (ad) trees and shrubs and (ae) other.
- (7) What is the total number of complaints received about Access Canberra in 2015-16, and provide information about what the complaint was regarding and relevant categories, including (a) no response, (b) no remedy to the lodged problem, (c) slow resolution of the lodged problem and (d) any other relevant categories

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

- (1) The same processing timeframes apply for each service channel and are processed in real time. Each category within Fix my Street (i.e. potholes / graffiti / tress etc) is actioned by the responsible business unit. These timeframes vary depending on a number of factors.
- (2) Access Canberra receives requests through a variety of service channels. The data requested is not collected across all service channels within Access Canberra.
- (3)

	Requests requiring response
2015 16 FY	6,836
2016 FY 12 May 2017	10,254

This table does not include where the customer was contacted by telephone, a face to face meeting was held on site, a calling card was left in the customers letterbox, where the submission is unresolved, where the submission was forward to National Capital Authority or ACTEWAGL for action or where the ACT Government officer used a system other than the Access Canberra Fix My Street system (CRM) to respond to customer (eg. Outlook).

- (4) It took an average of four days to respond and action Fix My Street submissions lodged between 1 July 2015 and 12 May 2017.

It took an average of eight days to close a Fix My Street submissions lodged between 1 July 2015 and 12 May 2017.

- (5) No, there are 159 records in the Access Canberra Fix My Street system that have an in progress, unresolved, waiting on customer or updated status. There are 29 records in a separate Asset Management System with a status of unresolved or under investigation.

- (6) Fix My Street submissions

	2015-16	2016 – 12 May 2017
Abandoned Vehicles	744	1,182
Air Pollution & Noise	334	501
Bus Stops	146	237
Cycle Lanes (on-road)	101	172
Domestic Garbage Bins & Collections	129	176
Driveway Damage	266	260
Election Campaign Signage	14	577
Footpaths	1,408	1,438
Graffiti	1,230	1,281
Grass	820	1,157
Litter & Illegal Dumping	1,602	1,876
Mobile speed camera location suggestion		521
Mountain Bike Trails (Nature Parks only)	4	18
Nature Strips	719	928
Other	1,956	2,879
Outdoor Fitness Equipment	15	30
Parking – Illegal		88
Pot Holes	790	1,446
Road Safety	771	869
Road Signs	1,336	904
Roads	1,277	1,243
Shared Paths (walk/bike)	411	442
Shopping Trolley	221	325
Stormwater	1,175	1,237
Street Lights	4,947	5,193
Street Sweeping	476	599
Suburban Parks & Playgrounds	924	875
Survey Infrastructure	8	9
Traffic	111	139
Traffic Lights	462	551
Trees & Shrubs	5,786	6,957
Total	28,183	34,110

- (7) Access Canberra receives complaints from a broad range of service streams. Data regarding resolution of complaints is not captured in the categories that have been requested. To answer the question, Access Canberra staff would need to go through every complaint individually and summarise and categorise as requested.

In this instance, I do not believe that it would be appropriate to divert resources from other priority activities for the purposes of answering the Member's question.

**City Renewal Authority and Suburban Land Agency—community engagement
(Question No 251)**

Mr Coe asked the Chief Minister, upon notice, on 12 May 2017:

- (1) Will the (a) City Renewal Authority and (b) Suburban Land Agency have programs similar to the Mingle initiative of the Land Development Agency; if so, provide an outline of the program for each entity, including the (a) minimum number of events to be held annually, (b) nature of the events, (c) budget allocated and (d) any other relevant information.
- (2) Were any Mingle events scheduled after 1 July 2017; if so, provide an overview of each (a) event, (b) entity that will be managing the event and (c) budget of the event.
- (3) How will the social media pages of the Land Development Agency and Mingle project be administered after 1 July 2017; if the pages will be administered by (a) the City Renewal Authority or the Suburban Land Agency, identify which pages will be administered by each entity or (b) members of the public, identify the criteria and process used to select a suitable private individual or group to take over responsibility for the page.

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

- (1) The *City Renewal Authority and Suburban Land Agency Act 2017* establishes the community engagement responsibilities that rest with both the City Renewal Authority (CRA) and the Suburban Land Agency (SLA).

The CRA and SLA governing boards, working with their respective Chief Executive Officers, will be responsible for developing and implementing initiatives and/or other programs that respond to and meet these responsibilities.

- (2) A number of potential initiatives delivered by the Mingle program were planned to run past 1 July 2017, as summarised below.

As planning for these potential initiatives is at an early stage, funding and budget have not yet been finalised.

Community	Activity	Possible timing
Molonglo Valley	Tree Planting Day	August 2017
Molonglo Valley	Technology Education	August 2017
Molonglo Valley	Eid Fest	September 2017
Molonglo Valley	Sports Day	October 2017
Molonglo Valley	Community Information Session	November 2017
Moncrieff	Recreation Park Community Day	December 2017

- (3) Consistent with their status as Territory Authorities, the CRA and the SLA will each maintain and administer its own social media pages. Work has begun to identify the transition of relevant information from the Land Development Agency's social media pages.
-

Access Canberra—service delivery (Question No 254)

Ms Lee asked the Minister for Transport and City Services, upon notice, on 12 May 2017 (*redirected to the Minister for Regulatory Services*):

- (1) Are requests to Access Canberra's Fix My Street portal prioritised for attention and response by (a) date submitted, (b) location, (c) level of complexity or (d) another assessment tool.
- (2) Is every complainant who lodges an issue notified when the matter is resolved.

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

- (1) The business units responsible for actioning the relevant Fix My Street category are responsible for prioritising each request. Categories of prioritisation include date submitted, location, level of complexity, risk – or a combination of some or all of the above. For example, abandoned cars are prioritised based on a combination of risk and date submitted; illegal parking is prioritised based on risk of harm to the community; and tree complaints are prioritised based on risk, but may also use location to prioritise multiple jobs within the same location.
- (2) When a request is lodged, and the person has provided an email contact, all submissions to Fix My Street are acknowledged. The Fix My Street system provides the interface between the community and municipal services provided through Transport Canberra and City Services (TCCS) and it is the responsibility of the relevant business area to close the feedback loop with the complainant.

Currently not every complainant receives notification when the matter is resolved as it is a cross-government portal. However, the next iteration of Fix My Street will aim to refine response functionality so that this problem is reduced. Access Canberra and TCCS continue to work together to identify improvements in the feedback process.

Public housing—Oaks Estate (Question No 255)

Ms Lee asked the Minister for Housing and Suburban Development, upon notice, on 12 May 2017:

- (1) Has the ACT Government evaluated the effectiveness of the rehabilitation/reintegration program in Oaks Estate; is so (a) when, (b) by whom and (c) what was the outcome.

- (2) By what process did the St Vincent de Paul Society acquire the contract to head-lease public housing flats in Oaks Estate.
- (3) When was the contract started and what is its duration.
- (4) What assessment, if any, has been undertaken into this arrangement and have other alternatives been considered.

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

- (1) St Vincent de Paul Society was required to provide an outcome report every six months to ACT Health on the Mental Health Accommodation and Outreach support program in Oaks Estate. Outcomes were measured using the Living Skills Profile, a recognised outcome measurement tool, which collects data on entry and progress throughout support.
- (2) St Vincent de Paul Society approached Housing ACT in 2008 to obtain properties as part of the delivery of their support programs for Canberrans with complex needs. At the time, Housing ACT identified underutilised assets within the public housing portfolio that could be used to support the delivery of these specialist programs.
- (3) The first Tenancy Agreement between St Vincent de Paul Society and Housing ACT to utilise Oaks Estate properties occurred in December 2009. The Tenancy Agreements remain in place.
- (4) Housing ACT is currently undertaking a review of head lease arrangements in consultation with all community organisations including St Vincent de Paul Society. This review is focusing on how best to ensure that current head lease arrangements meet the needs of the most vulnerable in the community. Further consultations with community providers will occur in the coming months.

ACT Policing—school zone speeding statistics (Question No 257)

Mr Milligan asked the Minister for Police and Emergency Services, upon notice, on 12 May 2017:

- (1) How many times, in the past 24 months, have members of ACT Policing and Traffic Operations patrolled Alberga Street, Kaleen (a) during and (b) outside of, school operating hours.
- (2) How many speeding offences have been reported by members of ACT Policing and Traffic Operations on Alberga Street, Kaleen.
- (3) How many school crossing offences have been reported by members of ACT Policing and Traffic Operations on Alberga Street, Kaleen outside of Maribyrnong Primary School.
- (4) How many times, in the past 24 months, has an ACT Government mobile speed van appeared in Alberga Street, Kaleen.

- (5) How many speeding infringements, in the past 24 months, have been issued to road users on Alberga Street, Kaleen (a) during and (b) outside of, school operating hours.
- (6) How many complaints have been received by ACT Policing and Traffic Operations regarding speeding along Alberga Street, Kaleen (a) during and (b) outside of, school operating hours.
- (7) How many complaints, in the past 12 months, have been received by ACT Policing and Traffic Operations regarding speeding in close proximity to schools during school operating hours in the electorate of Yerrabi.

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

- (1) ACT Policing has undertaken a total of 13 traffic related patrols of Alberga Street over the past 24 months. This figure does not include non-traffic related police activity in Alberga Street, nor does it include general police patrols of the suburb of Kaleen which were not specifically recorded against Alberga Street on police indices.
 - (a) and (b) I have been advised by ACT Policing that the information sought is not easily retrievable. The differentiation of patrols of Alberga Street as having been conducted either during or outside school hours would require an inordinate effort to identify.
- (2) ACT Policing has issued two infringement notices and two caution notices to motorists for speeding on Alberga Street over the past 24 months.
- (3) ACT Policing has not recorded any school crossing offences on Alberga Street, Kaleen outside of Maribyrnong Primary School over the past 24 months.
- (4) An ACT Government mobile speed van has attended Alberga Street, Kaleen on one occasion over the past 24 months.
- (5) Over the past 24 months the ACT Government has issued no speeding infringement notices to road users on Alberga Street, Kaleen.
- (6) ACT Policing has not received any complaints regarding speeding motorists on Alberga Street over the past 24 months.
- (7) ACT Policing has received nine traffic complaints. ACT Policing is not in a position to identify the actual offence type reported, such as speeding, over the past 12 months in the electorate of Yerrabi.

Public housing—relocations (Question No 259)

Mr Parton asked the Minister for Housing and Suburban Development, upon notice, on 12 May 2017:

Further to the public housing sites announced on 15 March (a) how many of the public housing residents on Northbourne Avenue require supportive housing as defined prior to the December 2015 Technical Amendment that included public housing within this

category, (b) what proportion of public housing residents being relocated will be provided with supportive housing as defined prior to the 2015 Technical Amendment and (c) how many of the new residences will have non-standard design and functional modifications to accommodate the needs of tenants being relocated.

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

- (a) All public housing tenants on Northbourne Avenue require supportive housing as defined prior to the December 2015 Technical Amendment.
- (b) Please refer to the answer at (a).
- (c) The proposals announced on 15 March 2017 were all located on Community Facility-zoned land. These sites will be Class C Adaptable and constructed to comply with Australian Standard 4299 – Adaptable Housing (Class C).

For sites that are located on non-Community Facility-zoned land, the Territory Plan requires a minimum percentage of new multi-unit housing developments, comprised of 10 or more dwellings, to meet Australian Standard AS4299 – Adaptable Housing (Class C).

In addition to this, Housing ACT aims to achieve a minimum standard of 'Liveable Gold' consistent with the Liveable Housing Design Guidelines developed by Liveable Housing Australia.

This additional requirement reflects the fact that, like all people, public housing tenants are diverse in age, mobility and health, having different and changing lifestyle needs. The development of properties to the Liveable Housing standards supports the creation of a safe and equitable environment for all.

Public housing—business activities (Question No 260)

Mr Parton asked the Minister for Housing and Suburban Development, upon notice, on 12 May 2017:

- (1) Are public housing tenants permitted to conduct a business from their residence or adjacent areas on public housing property.
- (2) What types of business activities are permitted within public housing complexes.
- (3) What is the process for obtaining approval to conduct a business and what information must the tenant include in their request for approval.
- (4) What conditions and obligations are attached to such approvals.
- (5) Does Housing ACT provide any assistance or facilitate the conduct of tenants' business activities from or on public housing property.
- (6) What are the rights and entitlements of other residents in relation to the conduct of business activities (if in fact these are permitted).

- (7) What rights and recourses do residents have if they find themselves disturbed by the conduct of an approved or unapproved business activity within a public housing precinct.
- (8) What action is Housing ACT obligated to take when receiving complaints of possible or persistent illegal activities occurring in or being conducted from public housing premises.

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

- (1) While Housing ACT is in the business of providing housing outcomes for some of those most vulnerable in the ACT community, public housing tenants are not subject to any more restrictions than any other member of the community. As a result home businesses must comply with the ACT Government rules for home based businesses that can be accessed via the Access Canberra website and comply with their obligations under the residential tenancy agreement and if applicable, the rental rebate policy.
- (2) As noted above public housing tenants are not subject to any more restrictions than any other member of the community and as a result businesses compatible with being operated from the individual tenanted premises are allowed.
- (3) There is no formal application process that a tenant needs to undertake. However, premises are let to be homes not businesses and as such tenants looking to start a business should advise Housing ACT and ensure that they have met or are capable of meeting all the requirements of that business including licences and public liability insurance.

If the premises require modification in order for a business to be able to be undertaken, there is a formal application process via Housing ACT which needs to be undertaken before any modifications are done.

- (4) I refer the member to the answer to question 1.
 - (5) Housing ACT does not have any small business incentives. However, Housing ACT is supportive of its tenants and their residents undertaking educational and lawful employment opportunities including the opportunity to enjoy the benefits of being self employed business operators.
 - (6) Tenants who are running businesses from their tenancies are still required to meet their tenancy obligations which include not to cause a nuisance or interfere with the quiet enjoyment of neighbours and to keep the premises reasonably clean.
 - (7) All complaints or concerns relating to public housing properties should be raised with the Housing ACT complaints unit.
 - (8) All complaints and concerns raised about public housing properties are investigated and Housing ACT does not condone the use of its properties for illegal purposes, however, under the *Residential Tenancies Act 1997*, such use is only a breach of the tenancy agreement if the illegal use is to the detriment of the lessor's interest in the property. All illegal acts should be reported to the Police as the responsible agency to determine appropriate action.
-

**Disability services—housing
(Question No 264)**

Ms Le Couteur asked the Minister for Housing and Suburban Development, upon notice, on 12 May 2017:

In regard to Havelock Housing and the recent Report on Government Services that noted that supported services in the ACT are struggling to meet demand and should exit people from their services into community housing or other stable accommodation, what (a) is the status of the merger between Havelock Housing and Capital Community Housing, (b) effect will this merger have on current housing clients, particularly those with a disability and (c) reasons are there for the consistently high vacancy rate at Havelock Housing.

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

- (a) Capital Community Housing (CCH) ceased operating on 28 February 2017, with 90 properties with tenants in situ choosing to transfer to Havelock Housing Association (HHA), eight households in the process of transferring to Housing ACT, and one household transferring to CatholicCare.
- (b) The transfer of tenancy management and tenancy support for tenants from CCH to HHA was an arrangement initiated by the sector and supported by Housing ACT to minimise disruption to tenancy services caused by the closure of CCH. All tenants, carers and guardians maintain the right to exercise choice over current and future service delivery arrangements. Tenants in receipt of support packages from the National Disability Insurance Scheme continue to receive disability support without disruption.
- (c) As at 29 May 2017, Havelock House has only one vacancy. While the viability of the shared accommodation model is impacted due to the increasing complexity of people for whom this model is not suitable, HHA has worked hard over the past two years to reduce the vacancies by offering a range of financial incentives to encourage applicants and referrals, improving the reputation of Havelock House, and securing significant grants to improve the appearance and safety of the building.

**Canberra Institute of Technology—Woden campus
(Question No 266)**

Ms Le Couteur asked the Minister for Higher Education, Training and Research, upon notice, on 12 May 2017:

- (1) What is the status of the proposed Canberra Institute of Technology (CIT) “inner city” facility planned for the Woden Town Centre.
- (2) What is the proposed timeline for completion of such a facility.
- (3) How will the Government ensure that suitable land is available in the Woden Town Centre for the CIT facility.

- (4) If plans have stalled or been cancelled, why was the Woden community not notified that the facility promised in successive budgets would not proceed and on what grounds was the decision to not proceed made.

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

1. There is no planned CIT "inner city" facility for the Woden Town Centre.

The ACT Government has established a CIT Campus Modernisation Subcommittee to assist the CIT Board to create modern learning spaces and facilities across all its campuses to meet the needs of contemporary learners and the community. Membership of the subcommittee includes the Under Treasurer, a delegate of the Director General - Environment and Planning and Sustainable Development Directorate, the CIT Board Chair and CIT CEO. The Subcommittee commenced in March this year and is currently working on developing options for all CIT sites for the Government's consideration.

2. As above.

3. As above.

4. A CIT community campus in the Woden Town Centre has not been promised in successive budgets. The 2015-16 Budget Paper 3 refers to CIT "actively seeking opportunities to provide a community campus in the Woden Town Centre". The reference in the Budget paper was made prior to the appointment of the CIT Governing Board which commenced on 1 July 2015. Since then, the Board has set a new strategic direction for CIT (outlined in the CIT Strategic Compass 2020) to ensure CIT is sustainable in the increasingly competitive vocational education and training (VET) environment. This includes ensuring contemporary learning and teaching styles are met, as well as the needs of employers and industry. Consultation with the Woden Valley Community Council on the future of CIT VET delivery in South Canberra has occurred on a number of occasions.

Planning—community facility zoning (Question No 268)

Ms Le Couteur asked the Minister for Planning and Land Management, upon notice, on 12 May 2017:

- (1) What are the instances (with detail provided for date proposed, date completed, and reasons for using this land for this purpose) of where public or social housing has been, or will be, built on CFZ land.
- (2) For CFZ land generally (a) how much CFZ land remains undeveloped or without an existing Development Application proposed for it, (b) what is the order of priority for the types of community facilities built on CFZ land, (c) what are the implications of the continued use of CFZ land for residential use, (d) what are the implications for the use of CFZ land used for "social housing" for the potential for mixed-use or for private ownership, (e) what are the Government's views on the optimal future uses of CFZ land, (f) what is the current geographic spread of CFZ land and (g) what proportion of future greenfield or brownfield developments will be put aside as CFZ.

- (3) Why was the decision to make the addition of “social housing” under the definition of “supportive housing” in 2015 a technical amendment rather than a Territory Plan Variation.
- (4) Does the Government consider the 2015 technical amendment a “significant change” to the Territory Plan; if not, why not.
- (5) What are the current Government definitions for (a) public housing, (b) social housing and (c) supportive housing and where in legislation do these definitions appear.
- (6) What are the reasons that the Government has chosen to use CFZ land for “social housing”.

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

- (1) As at April 2017, Housing ACT holds 342 dwellings on Community Facility-zoned (CFZ) land. This includes two developments completed by the Public Housing Renewal Taskforce on CFZ land in Chisholm and Monash. A third site on CFZ land in Nicholls is currently under construction by the Public Housing Renewal Taskforce.

The public housing renewal projects in Monash, Chisholm and Nicholls were first identified in late 2014. The project in Chisholm was completed in June 2016, the project in Monash was completed in November 2016, and the project in Nicholls is expected to be completed in mid 2017.

CFZ sites are selected for “social housing” in the same way as sites in other land use zones, including sites on residential-zoned land.

- (2) For CFZ land generally:
 - (a) There are over 60 unleased blocks of CFZ land available for use across Canberra. Of these blocks, nearly half are located in Tuggeranong, Woden or Weston Creek, with a few sites available in central Canberra, Gungahlin and in the Molonglo Valley.
 - (b) The order of priority for the types of community facilities built on CFZ land is generally determined by the future demand for different types of facilities and their population catchments. Community facilities can include schools, child care centres, libraries, community centres, emergency services, police, health care, cultural activities and places of worship. Facilities which may require larger sites, such as schools or aged care accommodation, may be prioritised over those more commercial community uses which are able to respond to market demand, such as child care centres and medical centres.

From the perspective of users and to ensure efficient use of resources, some community facilities will be best provided in clusters or hubs with other community facilities, or co-located with other retail and commercial facilities in local, district or regional shopping centres.

- (c) The implications of the continued use of CFZ land for residential use are as follows:

Generally, the supply of land that is unleased and available for community facilities in the ACT is diminishing. In addition, some of the unleased CFZ land

has constraints relating to access, topography or environmental issues. More innovative approaches to community facilities, such as flexible and multi-purpose spaces, will ensure ongoing supply.

The type of residential uses permitted on CFZ land is specifically limited to support those people in need and is managed by a Territory approved organisation that provides a range of support services.

- (d) The implications for the use of CFZ land used for “social housing” for the potential for mixed-use or for private ownership are as follows:

The Territory Plan sets out a wide range of potential community and recreational uses on the CFZ land.

Private residential housing is not allowed on CFZ land.

Separate ownership of an individual supportive housing dwelling is not allowed.

- (e) The Government’s views on the optimal future uses of CFZ land are as follows:

In allocating land and places for community facilities, there is a need to ensure that people living in different parts of the ACT have equality of opportunity to access community facilities and services that meet their needs and preferences.

The distribution of community facilities needs to take into account that catchment sizes for different services vary, with some services being provided for the whole ACT, others for districts and some at the local level.

There is also a need to allow for flexibility to accommodate changes over time in the demographic profile of different areas, and changes in community service delivery arrangements, such as the NDIS.

- (f) As at May 2017, the geographical spread of CFZ land in each district, rounded to the nearest whole number, is as follows:

- i. Belconnen 514 ha
- ii. Tuggeranong 262 ha
- iii. Canberra Central 250 ha
- iv. Gungahlin 140 ha
- v. Woden Valley 130 ha
- vi. Weston Creek 105 ha
- vii. Molonglo 53 ha.

- (g) Planning for greenfield and brownfield developments considers the needs for identified parcels of CFZ land as well as any opportunities to collocate community uses in centres and close to public transport. The range of community facilities needed depends on the size and composition of the catchment population both now and into the future, and the availability and access to existing facilities in neighbouring established areas.

- (3) The Territory Plan provides the policy framework for the administration of planning in the ACT. The Environment, Planning and Sustainable Development Directorate administer the Territory Plan and must follow the requirements set out in the *Planning and Development Act 2007* (the Act).

Proposals for technical amendments to the Territory Plan must satisfy the requirements of the Act. If not, then a full Territory Plan variation is required.

Technical amendments allow for minor changes to be made to the Territory Plan. These include clerical, routine, language, technical, operational and minor policy updates to the Territory Plan.

A decision was made to add “social housing” to the common terminology under the definition of “supportive housing” in 2015 via a technical amendment, rather than a Territory Plan Variation. This occurred in technical amendment TA2015-16. The addition of “social housing” to the common terminology of “supportive housing” was considered to be a clarification of the language of the Territory Plan without changing the substance of the Territory Plan under section 87(2)(e) of the Act. This change was made to provide a further example of the type of permitted development that clarified the meaning and context of the definition of “supportive housing” in the Territory Plan. There was no change to the substance of the Territory Plan.

This category of technical amendment requires limited public consultation and the technical amendment was publicly notified in accordance with the requirements of the Act.

- (4) The Government does not consider the 2015 technical amendment (TA2015-16) a “significant change” to the Territory Plan. This is because the change was made to provide an additional example of the type of development permitted under the definition of “supportive housing” by listing “social housing” under Some Common Terminology in the Territory Plan. This list is considered to be helpful, but not exhaustive, in providing a level of clarity around the residential uses permitted within the category of “supportive housing”, provided they can still meet the requirements to be considered “supportive housing”. TA2015-16 did not change the definition of “supportive housing”.

- (5) The current Government definitions are as follows:

- (a) “Public housing” is a term in general usage around Australia. It is understood to mean housing owned by a State or Territory public housing authority, including properties managed by non-government agencies.

In the ACT, public housing is defined through a Disallowable Instrument under the *Housing Assistance Act 2007*. The Disallowable Instrument is the *Housing Assistance Public Rental Housing Assistance Program 2013 (No.1)*. The definition is as follows:

Public housing means rental housing properties held by the Commissioner for Social Housing (the housing commissioner), and available for the provision of rental housing assistance under this program.

- (b) “Social housing” is a term in general usage around Australia, such as in the former National Partnership Agreement on Social Housing. This term is considered to

encompass public housing (as defined above), affordable housing and community housing, which is housing owned or managed by an organisation registered as a Community Housing provider. There is a National Regulatory System for Community Housing providers, for which further information is available at www.nrsch.gov.au/.

- (c) “Supportive housing” in the ACT is defined in section 13 of the Territory Plan under ‘Definitions’. The definition is as follows:

Supportive housing means the use of land for residential accommodation for persons in need of support, which is managed by a Territory approved organisation that provides a range of support services such as counselling, domestic assistance and personal care for residents as required. Although such services must be able to be delivered on site, management and preparation may be carried out on site or elsewhere. Housing may be provided in the form of self-contained *dwelling*s. This term does not include a *retirement village* or student accommodation.

- (6) All sites selected for the construction of replacement public housing as part of the public housing renewal program, including CFZ land, are selected based on an analysis of vacant and available Territory-owned land (that is, the land is suitably zoned in the Territory Plan and has not been identified for any other purpose). An assessment is then made of each site based on its size and features (such as slope and existing trees), its proximity to public transport, shops and services and other public housing, and the possible number of dwellings that could be constructed consistent with the Territory Plan.

Crime—statistics (Question No 271)

Mrs Jones asked the Minister for Police and Emergency Services, upon notice, on 12 May 2017:

- (1) What crime data exactly is regularly provided to Neighbourhood Watch.
- (2) Are there any restrictions or limitations on what crime data they can be given.
- (3) How recent is the data when it is given.
- (4) By what means is it communicated.

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

- (1) The crime data provided to Neighbourhood Watch ACT includes assaults, burglaries, stolen motor vehicles, theft and criminal damage. All data is broken down by patrol area, suburb, offence type, street name (excluding the house numbers) and date of the offence.
- (2) Yes. Crime data relating to sexual assaults is not provided due to the sensitive nature of the crime type and to ensure confidentiality for victims. For all reported offences, personal particulars such as date of birth, name, gender and age are also withheld to protect the dignity and identity of victims.

- (3) The data is provided monthly (usually within the first week of the month), capturing the whole of the previous calendar month.
 - (4) ACT Policing provides the crime data via email to the President of the Neighbourhood Watch ACT.
-

**Crime Legislation Bill 2017—notification
(Question No) 272**

Mrs Jones asked the Minister for Corrections, upon notice, on 12 May 2017:

Further to the answer to Question on Notice #16 during the Justice and Community Safety Annual Reports Hearings 2015-16 on 7 March 2017 (a) in what form was notification provided to the ACT Courts and Tribunal Administration about the proposed Crime Legislation Bill 2017 and (b) what was the distribution list of those who received notification.

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

- (a) The ACT Law Courts and Tribunal Administration received notification about the proposed Crimes Legislation Amendment Bill 2017 on 2 February 2017 as part of the Cabinet submission process.
 - (b) Electronic access to the notification was provided to:
 - Counsel Assisting and Legal Manager Coroners Section
 - President ACT Civil and Administrative Tribunal
 - Presidential Member ACT Civil and Administrative Tribunal
 - Senior Manager Operations ACT Law Courts and Tribunal
 - Registrar Supreme Court
 - Senior Deputy Registrar Supreme Court
 - Principal Registrar ACT Law Courts and Tribunal
 - Executive Officer to Principal Registrar
 - Senior Manager ACAT; and
 - Registrar Magistrates Court.
-

**Alexander Maconochie Centre—detainees with disability
(Question No 274)**

Mrs Jones asked the Minister for Corrections, upon notice, on 12 May 2017:

Further to the answer to question taken on notice #18 during the Justice and Community Safety Annual Reports Hearings 2015-16 on 7 March 2017, in relation to detainees at the Alexander Maconochie Centre with a disability, in particular the “Custodial Information System Briefcase which is not searchable in terms of producing a report to ascertain numbers”, when will such a database be introduced so such data can be searchable.

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

The new software will be introduced in a staged approach. ACTCS has begun the first phase of implementation and will continue to roll out subsequent phases until the system becomes fully operational in 2018.

Although this upgrade in software is anticipated to increase ACTCS' ability to collect information, the disability status of detainees is a health record and should be provided by Justice Health.

**Alexander Maconochie Centre—elderly detainees
(Question No 275)**

Mrs Jones asked the Minister for Corrections, upon notice, on 12 May 2017:

Further to the answer to question taken on notice #19 during the Justice and Community Safety Annual Reports Hearings 2015-16 on 7 March 2017 (a) what planning is underway for the housing and care of elderly detainees and (b) has the ACT Government investigated what services and housing other jurisdictions have available to elderly detainees.

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

- (a) Elderly AMC detainees are case managed according to their specific accommodation and care needs which includes mental health, physical health, age and gender-related complexities.
- (b) ACTCS communicates with other jurisdictions about corrections standards and considers opportunities to develop and enhance services delivered to all cohorts of detainees at the AMC.

**Alexander Maconochie Centre—domestic violence programs
(Question No 276)**

Mrs Jones asked the Minister for Corrections, upon notice, on 12 May 2017:

Further to the answer to question taken on notice #22 during the Justice and Community Safety Annual Reports Hearings 2015-16 on 7 March 2017, in relation to the Domestic Abuse Program, in particular the section that says offenders must "consent to their current female partner, whether victim of the offense or not, to be contacted for the purpose of completing a referral to the Domestic Violence Crisis Service" (a) does this ever mean that men cannot attend the Domestic Abuse Program because the referral is not desired by the female partner and (b) how does this apply to same-sex couples.

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

- a) Partners are able to choose whether they will accept support from the Domestic Violence Crisis Service during the course of the Domestic Abuse Program. A partner's decision does not affect an offender's eligibility to participate in the program.

- b) The Domestic Abuse Program is designed for and targeted at men who are convicted of a domestic violence offence against a female partner or spouse. The program has drawn on a gendered understanding of violence and abuse within relationships and addresses these issues from the perspective of power and control.

ACTCS runs the Out of the Dark Program for female offenders who have been victims of domestic violence, and more general programs that address issues of violence including the Violence Intervention Program. Some participants in the Out of the Dark Program may be victims of domestic or family violence as well as perpetrators of domestic or family violence.

ACTCS facilitates programs that address anti-social thoughts and actions including the Anger Management Program and Cognitive Self Change Program. These programs are available to perpetrators of violence within a same sex relationship and to female perpetrators.

Should an offender or detainee be assessed as requiring intervention but not be suitable for an existing program, they would be offered one on one counselling.

Substance abuse can be a factor in domestic violence and there are programs available for both male and female offenders that aim to address this, including the Harm Minimisation AOD Program, First Steps Alcohol and Drug Course and the Solaris Therapeutic Community Program (male detainees only).

Rural fire services—staff training (Question No 277)

Mrs Jones asked the Minister for Police and Emergency Services, upon notice, on 12 May 2017:

Further to the answer to question taken on notice #23 during the Justice and Community Safety Annual Reports Hearings 2015-16 on 7 March 2017, in relation to the 28 members of the Volunteer Brigades who are yet to complete the burn assessment of the Bush Firefighter course, when will those assessments take place.

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

As at 16 May 2017, there are 10 members of the Volunteer Brigades who are yet to complete the burn assessment of the Bush Firefighter course.

Assessment for these remaining 10 volunteer members will be dependent on appropriate weather conditions for a safe burn, access to suitable sites, and the availability of assessors and volunteers.

ACT Policing—surveillance warrants (Question No 278)

Mrs Jones asked the Minister for Police and Emergency Services, upon notice, on 12 May 2017:

Further to the answer to question taken on notice #26 during the Justice and Community Safety Annual Reports Hearings 2015-16 on 7 March 2017, in particular in relation to the “four instances of non-compliance with section 10 of the Act, which specifies who may issue a surveillance device warrant”, has any action been taken to (a) retrain officers to follow the set procedures and (b) tighten these processes; if not, will action be taken.

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

ACT Policing advises me that AFP members applying for ACT Surveillance Device Warrants are required to do so in line with AFP guidelines. All applications and affidavits are forwarded to a professional staff member performing the role of the ACT Special Projects Registrar (SPR) within ACT Policing Criminal Investigations for record keeping.

The ACT SPR receives training in order to ensure ACT Policing complies with relevant legislation in respect of Special Projects (SP), including ACT Surveillance Device Warrants. Accordingly, the “four instances of non-compliance with section 10 of the Act” were identified and self-reported by ACT Policing.

SP applications can only be legally made to and granted by individuals specifically designated as ‘authorised officers’. The list of authorised officers in respect of Commonwealth Surveillance Device Warrants is distinct from the list of authorised officers in respect of ACT Surveillance Device Warrants. The instances of non-compliance occurred when members of ACT Policing applied via the National SPR, who mistakenly drew on the Commonwealth list of authorised officers, rather than the ACT list.

No additional training was required to address the shortcomings; however ACT Policing has reiterated the distinction between authorised officer lists to its members. Additionally, the distinction has been communicated to the National SPR and other AFP members who may have cause to apply for ACT SP. Furthermore, the ACT SPR and National SPR are working together to establish complimentary, coherent procedures.

Alexander Maconochie Centre—domestic violence programs (Question No 279)

Mrs Jones asked the Minister for Corrections, upon notice, on 12 May 2017
(*redirected to the Acting Minister for Corrections*):

Further to the answer to question taken on notice #22 during the Justice and Community Safety Annual Reports Hearings 2015-16 on 7 March 2017, how many detainees attended the following courses in both the previous and current financial (a) Domestic Abuse Program (within the AMC), (b) Violence Intervention Program, (c) Out of the Dark Program, (d) Anger Management Program, (e) Cognitive Self-Change Program, (f) Domestic Abuse Program (within the community) and (g) Working with the Man Program (within the community).

Mr Ramsay: The answer to the member’s question is as follows:

The number of detainees who have attended the following courses during the 2015-16 financial year and the 2016-17 financial year to 1 June 2017 are:

Part of QON	Program	2015/16	2016/17
(a)	Domestic Abuse Program (within the AMC)	13	19
(b)	Violence Intervention Program	4	14
(c)	Out of the Dark Program	3	12
(d)	Anger Management Program	72	123
(e)	Cognitive Self-Change Program	61	42
(f)	Domestic Abuse Program (in the community)	33	46

In response to (g), EveryMan Australia runs the Working with the Man Program. It is not funded by ACT Corrective Services. ACT Corrective Services clients may self-refer.

Alexander Maconochie Centre—security breaches (Question No 280)

Mrs Jones asked the Minister for Corrections, upon notice, on 12 May 2017:

Further to the answer to question taken on notice #20 during the Justice and Community Safety Annual Reports Hearings 2015-16 on 7 March 2017, in relation to contraband phones being intercepted, (a) why was there a significant spike in intercepted phones in April 2016 (14 phones intercepted), (b) why was there a spike in intercepted phones in February 2017 (6 phones intercepted) and (c) how many phones were intercepted, each month from July 2015 to March 2017, coming from (i) visitors, (ii) staff and (iii) over the fence.

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

- a) The spike in mobile phone seizures in April 2016 was due to intensive intelligence-driven targeting of detainees suspected of possessing or having access to a mobile phone. This resulted in 14 mobile phones being seized from persons and housing areas.
- b) The spike in intercepted phones in February 2017 was due to two separate over the fence packages being intercepted. A total of five mobile phones were seized between the two intercepts.
- c) Table of phone intercepts from July 2015 – April 2017:

2015	(i) Visitors	(ii) Staff	(iii) OTF	AMC/TRC	Total
July				1	1
August				2	2
September				3	3
October				1	1
November				2	2
December			4	2	6
2016					
January				3	3
February			1	2	3

March				1	1
April				14	14
May				2	2
June	1			2	3
July				1	1
August				3	3
September				3	3
October				1	1
November				3	3
December				3	3
2017					
January				1	1
February			5	1	6
March					0
April				5	5
Total/area	1	0	10	58	67

OTF – Over the Fence

AMC/TRC – found within the AMC or Transitional Release Centre

Arts—public artworks (Question No 290)

Mrs Dunne asked the Minister for the Arts and Community Events, upon notice, on 12 May 2017:

- (1) Further to the Minister's answer to question taken on notice No 15 during the inquiry of the Standing Committee on Economic Development and Tourism into referred 2015-16 annual and financial reports on 28 February 2017 in respect of public artworks for which artsACT is responsible (excluding works acquired under the percent-for-art scheme), what was the total budget, for routine repairs and maintenance, in (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) 2016-17.
- (2) How much was spent on routine repairs and maintenance in each of those years listed in part (1), including the year to date figure for 2016-17.
- (3) What was the program for routine repairs and maintenance for each of those years listed in part (1) and was the program completed as planned (including year to date for 2016-17); if not, why not.
- (4) Who was contracted or otherwise engaged to carry out the work for the years referred to in part (1).

- (5) How are work requirements assessed and by whom.
- (6) In relation to non-routine repairs and maintenance, how much was spent in (a) 2012-13, (b) 2013-14, (c) 2014-15, (d) 2015-16 and (e) 2016-17 (year to date).
- (7) What was the funding source for those years listed in part (6).
- (8) What was the nature of the work done for those years listed in part (6).
- (9) Who was contracted or otherwise engaged to carry out the work for those years listed in part (6).
- (10) In relation to each artwork, (a) when was it acquired, (b) how much did it cost, (c) who was the artist, (d) where did the artist live at the time of acquisition, (e) what is its current value and (f) when was that value assessed and by whom.

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

- (1) The total budget for public art repairs and maintenance for each year is as follows, noting that budget is for both routine and non-routine maintenance as identified in the budget papers:
 - a. 2012-13: \$150,000
 - b. 2013-14: \$154,000
 - c. 2014-15: \$157,000
 - d. 2015-16: \$162,000
 - e. 2016-17: \$164,000
- (2) Repairs and maintenance expenditure for each year is as follows, noting that expenditure is a total of both routine and non-routine maintenance. Public art repairs and maintenance expenditure is recorded in total figures to enable reporting against the budget allocation :
 - a. 2012-13: \$143,102
 - b. 2013-14: \$157,756
 - c. 2014-15: \$156,091
 - d. 2015-16: \$162,000
 - e. 2016-17: \$70,836.75 to 31 May 2017
- (3) The program for repairs and maintenance for artworks is documented by the artist in an artwork maintenance manual. Requirements for reactive maintenance (such as graffiti removal) are assessed on an as-needs basis by Cultural Canberra with input from artists, artwork conservators and other specialist consultants and contractors as required. The artwork repairs and maintenance program was completed as planned in previous financial years and as scheduled to date in 2016-17.
- (4) The contractors engaged to deliver the work for the years referred to in part (1) were as follows:

Armature Design Support
Art & Archival
Artillion Pty Ltd

Auzpicious Arts
 Bamstone
 Blasted Glass Designs
 Canberra Glassworks
 Craig & Susan Barnes (Jim's Mowing)
 Cribb's Contracting
 David Jenz
 DesignCraft
 Don't Panic Plumbing
 Ecowise
 EP Electrical Services
 Eric Martin and Associates
 Geoff Farquhar-Still
 Harris Hobbs Landscapes
 HUB Group
 Imaage LED Lighting
 International Conservation Services
 Kon Dimopoulos
 Mag Welding Services
 Matthew Harding
 Nott Just Mowing
 Philip Spelman Sculpture
 Programmed Property Services
 Pyramid Corporation P/L
 Redbox Design Group
 Sellick Consultants
 Sound Advice
 Tim Hodge Stonemason Sculptor
 Undercut Enterprises

- (5) The program for repairs and maintenance for artworks is documented by the artist in an artwork maintenance manual. Requirements for reactive maintenance (such as graffiti removal) are assessed on an as-needs basis by Cultural Canberra with input from artists and artwork conservators as required.
- (6) Refer total repairs and maintenance expenditure listed in (2). Public art repairs and maintenance expenditure is recorded in total figures to enable reporting against the budget allocation.
- (7) The funding source for non-routine repairs and maintenance is the same for routine repairs and maintenance and is as provided in the budget papers.
- (8) The nature of the work done for those years listed in part (6) included non-routine tasks such as graffiti and sticker removal, repair of vandalised works, electrical repairs (lighting), consultant advice as required, repair of damaged artwork plinth or surrounding pavement, treatment of rust and repair of subsurface drainage.
- (9) Refer (4) above.
- (10)
- a. Refer table below.
 - b. Refer table below.
 - c. Refer table below.

- d. Refer table below.
 e. Refer table below.
 f. The artworks were most recently valued by art valuer, Helen Maxwell, in June 2015.

Artwork	(a) Installation Date	(b) Cost*	(c) Artist	(d) Artist Location*	(e) Current Value 2015
<i>ACT Bushfire Memorial</i>	2006		Tess Horwitz, Anthony Steel, Martyn Jolly	ACT	\$ 350,000
<i>ACT Memorial</i>	2006		Matthew Harding	VIC	\$ 400,000
<i>Ainslie's Sheep</i>	2001		Les Kossatz	VIC	\$ 200,000
<i>Angel Wings</i>	2008	\$ 129,000	Phil Price	NZ	\$ 200,000
<i>Aquila</i>	2007		Phil Spelman	ACT	\$ 75,000
<i>Blue Sky Shard & Magenta Fold</i>	2011	\$ 380,000	Jon Tarry	WA	\$ 425,000
<i>Bush Pack (nil tenure)</i>	2011	\$ 150,000	Amanda Stuart	ACT	\$ 120,000
<i>Casuarina Pods</i>	2001		Matthew Harding	VIC	\$ 75,000
<i>Centenary Column</i>	2014	\$ 220,210	Geoff Farquhar-Still	ACT	\$ 220,210
<i>Centricity, consisting of Ripple, Fingerprint and Crucible</i>	2002		Matthew Harding & Mark Woolston	VIC	\$ 130,000
<i>Chalchiuhtlicue (The Goddess of Water)</i>	2012		Jesus Mayagoitia	Mexico	\$ 35,000
<i>Choice of Passage</i>	2008	\$ 10,554	Phil Spelman	ACT	\$ 85,000
<i>Circuitry</i>	2000		Fiona Hooton	ACT	\$ 100,000
<i>Confucius</i>	2010		Jiaxiang Stone Carving Studio, Qufu	China	\$ 40,000
<i>Crossing Over</i>	2001		Wendy Mills	NSW	\$ 80,000
<i>Culture Fragment</i>	2011	\$ 115,000	David Jenz	ACT	\$ 65,000
<i>Decollette</i>	2000		Michael Le Grand	ACT	\$ 85,000
<i>Dinornis Maximus</i>	2008	\$ 125,000	Phil Price	NZ	\$ 200,000
<i>Droplet</i>	2012	\$ 200,000	Stuart Green	WA	\$ 218,000
<i>Egle Queen of Serpents</i>	1988		Ieva Pocius	SA/ Lithuania	\$ 45,000
<i>Eternity</i>	1981		John Robinson	UK	\$ 55,000
<i>Ethos</i>	1962		Tom Bass	NSW	\$ 350,000
<i>Exterior Mosaic</i>	1997		Andrew Townsend & Suzie Bleach	NSW	\$ 35,000
<i>Fenix 2</i>	2011		No Artist - Replica	N/A	\$ 10,000
<i>Fireline</i>	1997		Nola Farman	NSW	\$ 50,920
<i>Firestorm Story Tree</i>	2007		Bryan Carrick and Kambah community	ACT	\$ 125,000
<i>Gathering Place</i>	2002		Wellspring (Jennifer Jones & Phil Nizette)	ACT	\$ 90,000
<i>Ginninginderry Lights</i>	2015	\$ 99,500	Geoff Farquhar-Still	ACT	\$ 99,500
<i>Harmonies</i>	2008		Wellspring Environmental Art and Design	ACT	\$ 55,000

Artwork	(a) Installation Date	(b) Cost*	(c) Artist	(d) Artist Location*	(e) Current Value 2015
<i>Here and Now</i>	2011	\$ 184,100	Anna Eggert	ACT	\$ 200,000
<i>Honey Eater Rising</i>	2009		Wellspring Environmental Art and Design	ACT	\$ 45,000
<i>Illumicube</i>	1988		Kerry Simpson	ACT	\$ 250,000
<i>Lady with Flowers</i>	2011	\$ 146,273	Dean Bowen	VIC	\$ 205,000
<i>Living Space</i>	2003		Kunstforce (Geoffrey Farquhar Still & Angela Dufty)	ACT	\$ 50,000
<i>Mohandas Karamchand Gandhi</i>	2002		Ram V Sutar		\$ 50,000
<i>Narrabundah Site Marker</i>	1998		Andrew Townsend & Suzie Bleach	NSW	\$ 45,000
<i>Nest III</i>	2009		Richard Moffat	NSW	\$ 45,000
<i>New Blood (Gateway Artwork)</i>	2005		Paloma Ramos		\$ 25,000
<i>Other Side of Midnight</i>	2012	\$ 187,000	Anne Ross	VIC	\$ 210,000
<i>Oushi zokei, dream lens for the future</i>	2011	\$ 205,000	Keizo Ushio	Japan	\$ 250,000
<i>Patria es Humanidad (Our Country is Humanity)</i>	2013		Nelson Dominguez Cedeño with Geoff Farquhar-Still		\$ 40,000
<i>Poets Corner Busts</i>	2011	\$ 83,000	Cathy Weiszmann	NSW	\$ 155,000
<i>Prime Minister John Curtin and Treasurer Ben Chifley, ca 1945</i>	2011	\$ 176,093	Peter Corlett	VIC	320,000
<i>Rain Pools</i>	2008		Stephen Newton	QLD	\$ 150,000
<i>Reclamation Culture, Spirit & Place</i>	2007		Sandra Hill and Jim Williams with Tony Pankiw and Jenny Dawson	WA	\$ 110,000
<i>Red and Blue</i>	2008	\$ 14,042	Inge King	VIC	\$ 120,000
<i>Resting Place of the Dragonfly</i>	1989		Mary Kayser	ACT	\$ 40,000
<i>Running Lights</i>	2006		Thylacine Art Projects	ACT	\$ 230,000
<i>Sculptural Seats</i>			Phil Spelman and Pat Harry	ACT	\$ 10,000
<i>Sculpture No 23 (The Parcel)</i>	2007	\$ 12,688	Alex Seton	NSW	\$ 95,000
<i>Sculptured Form</i>	1972		Margel Hinder		\$ 500,000
<i>Seqvanae</i>	1978		Michael Kitching		\$ 90,000
<i>Sir Robert Menzies</i>	2012	\$ 130,847	Peter Corlett	VIC	\$ 167,000
<i>The Big Little Man</i>	2007	\$ 17,744	Dean Bowen	VIC	\$ 100,000
<i>The Cushion</i>	2001		Matthew Harding	VIC	\$ 110,000
<i>The Encounter</i>	2014		Hugo Morales		\$ 45,000
<i>The Fourth Pillar</i>	1997		Neil Roberts	NSW	\$ 140,000
<i>The Glebe</i>	2002		Hew Chee Fong & Loretta M Noonan		\$ 150,000

Artwork	(a) Installation Date	(b) Cost*	(c) Artist	(d) Artist Location*	(e) Current Value 2015
<i>The Goongarline</i>	2008		Malcom Utley	NSW	\$ 150,000
<i>The Master's Voice</i>	2001		Sonia Leber & David Chesworth	VIC	\$ 140,000
<i>The Meeting Place</i>	2007	\$ 20,000	Silvio Gallelli	NSW	\$ 360,000
<i>The Moai Statue</i>	1998		Pedro Atan and Matthew Harding		\$ 25,000
<i>Touching Lightly</i>	2010		Warren Langley	NSW	\$ 800,000
<i>Tree of Knowledge</i>	2010		Peter Latona	ACT	\$ 120,000
<i>Twilight</i>	2004		Christopher Chapman & Ivan Siebel	ACT	\$ 130,000
<i>Two to Tango</i>	2011	\$ 200,000	Michael Le Grand	ACT	\$ 230,000
<i>Untitled (O'Connor Shops)</i>	1998		Wellspring Environmental Design	ACT	\$ 25,000
<i>Untitled 2008</i>	2009		John-Pierre Rives		\$ 52,500
<i>Vessel of (Horti)cultural Plenty</i>	2010		Warren Langley	NSW	\$ 80,000
<i>We Are Fishes</i>	1998		Andrew Townsend	ACT	\$ 27,000
<i>Wind Sculpture</i>	1981		Ernst Fries		\$ 95,000
<i>Winds of Light</i>	2011		Peter Blizzard	VIC	\$ 80,500
<i>World Peace Flame Monument</i>	2001		Jim Williams		\$ 30,000
*artist commission or acquisition fees based on available records. Some artwork costs and artist's location not accessible within the time frame allowed for answering the question as records stored offsite and retrieval required.					

Canberra Hospital—emergency evacuation (Question No 291)

Mrs Dunne asked the Minister for Health, upon notice, on 12 May 2017:

- (1) What are the procedures associated with an emergency, such as, but not limited to, a fire emergency at Canberra hospitals.
- (2) What are the procedures associated with evacuation of staff and patients.
- (3) Who has a role in the evacuation of staff and patients and what are those roles.
- (4) At what point in an emergency is a decision made to evacuate staff and patients.
- (5) How are immobile patients evacuated when lifts are closed to use.
- (6) Are any staff permitted to evacuate without ensuring the safety or evacuation of patients; if so, what staff and why.
- (7) How often are evacuation drills conducted.
- (8) When was the last drill.

- (9) Are drill de-briefs held.
- (10) Are improvements made to procedures as a result of evacuation drills.
- (11) When was the last procedural improvement made and what was it.

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

- (1) There are a number of different emergency response codes used throughout Canberra Hospital consistent with the Australian Standards Australian Standard 4083 - 2010 Planning for emergencies - Health care facilities and the *Emergencies Act 2004* and form part of the business as usual operations. Canberra Hospital has a detailed Emergency Response framework in place.
- (2) The Canberra Hospital Code Orange Emergency Response Plan describes the method for evacuating patients, relatives, visitors and staff from the Canberra Hospital and how to return to normal business following such an emergency.
- (3) An Emergency Control Organisation (ECO) is in place at Canberra Hospital. Positions within the ECO consist of Zone, Floor, House and Chief Wardens. The role of each warden is described within the Canberra Hospital Code Orange Emergency Response Plan.

Any ACT Health employee may assist in the evacuation of staff and patients. Depending on the type and extent of the incident, evacuation may be supported by ACT Fire & Rescue and other ACT Government Directorates.

- (4) Evacuation of an area or building within Canberra Hospital may be prompted by many events, including any other event that presents an immediate risk to the health and safety of staff, patients and visitors.

At any time a staff team leader may instigate the movement of staff and patients to a safe area and await instructions. The decision to conduct an evacuation of a floor can be made by the Floor Warden or person in charge facing that particular emergency. The authority to order a building evacuation rests with the Hospital Commander or the recognised delegate or under direction from ACT Fire & Rescue or AFP.

- (5) Canberra Hospital Code Orange Emergency Response Plan is centered on Horizontal evacuation and not evacuating a Patient Care building unless all internal provisions have been exhausted. Patient Care buildings are constructed with fire compartments. Horizontal evacuation is the evacuation from one fire compartment where the fire originates to an adjoining compartment on the same floor. Each fire compartments provides 120 minutes of refuge from a fire. The occupants may remain there until the fire is dealt with or await further evacuation to another similar adjoining compartment or down the nearest stairway.

This procedure provides time for non-ambulant and partially ambulant patients to be evacuated down stairways, and for ACT Fire & Rescue to respond and take necessary action.

Should it become necessary to evacuate an entire floor, ACT Fire & Rescue personal will assist with the evacuation of non ambulant patients in coordination with clinical staff.

- (6) All staff receive Fire & Emergency training that aligns with Emergency Response Plans. Staff that have roles within the ECO as described within the Canberra Hospital Code Orange Emergency Response Plan receive additional training. This training ensures that staff respond safely in alignment with the plan. Staff assist in an emergency situation if it is safe for them to do so.
- (7) Emergency Exercises, which include evacuation drills and simulations, are undertaken in each Canberra Hospital building annually.
- (8) The last drill completed was a warden training session that included a walk through Emergency Exercise on 15 May 2017.
- (9) Debriefs are held at the conclusion of all practical Emergency Exercises with the responsible staff.
- (10) Yes, results from the Emergency Exercises are reviewed with participants and fire safety support personnel, and improvements to response procedures are progressed.
- (11) The last procedural improvements were made in May 2017 in response to the April 2017 switchboard incident, and relate to ICT systems and process enhancements:
 - a. Second back-up communication system utilising Territory Radio Network (TRN) handsets
 - b. Establishment of emergency response leaders and kits for ICT issues
 - c. Enhancement of telephones for the Canberra Hospital Emergency Operations Centre, including colour-coded pre-configured handsets

**Canberra Hospital—electrical systems
(Question No 292)**

Mrs Dunne asked the Minister for Health, upon notice, on 12 May 2017:

- (1) In relation to The Canberra Hospital electrical switchboard that was the subject of the fire on 5 April 2017, which operational areas at the hospital were affected by the fire.
- (2) What was the nature of that effect.
- (3) What was the impact on treating patients for each operational area.
- (4) To what extent did this impact on waiting times for treatment in each triage category.
- (5) What backup strategies were in place to ensure urgent cases were dealt with as scheduled.
- (6) What assistance was provided to affected patients, including but not limited to financial, physical and psychological assistance.
- (7) When was each area returned to full operational capacity.
- (8) How are patient backlogs being dealt with.

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

- (1) The operational areas affected by the fire included:
 - Building 1 Tower Block
 - Building 2 Administration
 - Building 3 Aged Care and Oncology
 - Building 5 Residences
 - Building 7 Drug and Alcohol
 - (2) There was a loss of power to the effected buildings, including lights, air conditioning and power points.
 - (3) The impact on treating patients for each operational area was minimal and care continued for each patient.
 - (4) The effected power supply did not impact on waiting times noting that the Emergency Department is in Building 12.
 - (5) The emergency areas of Intensive Care Unit, Emergency Department and surgical theatres were largely unaffected, and urgent cases were dealt with as per normal processes.
 - (6) Patients continued to receive routine care and were not financially impacted. Physical and psychological assistance was not required beyond usual care assistance measures.
 - (7) The hospital returned to full operational capacity on the afternoon of 6 April 2017.
 - (8) All patients delayed by surgical and outpatients postponements have been re-scheduled through routine operations.
-

**Canberra Hospital—electrical systems
(Question No 294)**

Mrs Dunne asked the Minister for Health, upon notice, on 12 May 2017:

- (1) In relation to The Canberra Hospital electrical switchboard that was the subject of the fire on 5 April 2017, did the loss of electricity supply cause the failure of any in-use equipment for patient treatment, care or accommodation.
- (2) What in-use equipment was affected.
- (3) Did any patients suffer injury or any other effect, such as, but not limited to, infection as a result of that in-use equipment failure; if so, how many patients were affected.
- (4) Did any patients die as a result of that in-use equipment failure; if so, how many patients died and what were the dates of death.
- (5) Were those deaths referred to the ACT Coroner; if so, when; if not, why not and when will they be referred.

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

- (1) Yes.
- (2) a) Some air mattresses deflated and affected patients were moved to standard mattresses.
- (b) Cardiac monitors in coronary care, as batteries ran out of charge. Six patients weretransferred to the National Capital Private Hospital for continuation of care; and
- (c) Syringe drivers and infusion pumps as batteries ran out of charge. This equipment was swapped for fully charged devices.
- (3) No patient was affected as a result of the loss of electricity supply.
- (4) There were no deaths as a result of the loss of the electricity supply.
- (5) Not applicable.

**Aboriginals and Torres Strait Islanders—bush healing farm
(Question No 299)**

Mrs Dunne asked the Minister for Health, upon notice, on 12 May 2017:

Further to the answer, dated 28 April 2017, given to the question taken on notice during the hearings, held on 2 March 2017, of the Standing Committee on Health, Ageing and Community Services in relation to the timeline of events from 2008 to present for the Ngunnawal Bush Healing Farm, what date applies to each of the dot points listed in the timeline.

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

- (1) Please see the timeline at **Attachment A**.

Year	Event
2008	Funding: 2008-09 budget appropriation – capital funding. Commonwealth grant received. 2007-08 Budget – recurrent funding provided. August <ul style="list-style-type: none"> • 29 August – Settlement of sale for 'Miowera' property. September <ul style="list-style-type: none"> • 29 September Ngunnawal Bush Healing Farm (NBHF) Advisory Board established.
2010	October <ul style="list-style-type: none"> • 5 October - Phase One of the Model of Care (MoC) developed and endorsed.
2011	October <ul style="list-style-type: none"> • 10 October - Principal Consultant engaged.
2012	May <ul style="list-style-type: none"> • 25 May – Ministerial Press conference to commence community consultation. June <ul style="list-style-type: none"> • 15 June - Final Sketch Plans (FSP) approved.

Year	Event
2013	<p>May</p> <ul style="list-style-type: none"> • 9 May - Crown Lease Variation Development Application approved. <p>June</p> <ul style="list-style-type: none"> • 13 June - ACT Civil and Administrative Tribunal (ACAT) advised that applications for a review of the Crown Lease Variation DA decision had been received. <p>November</p> <ul style="list-style-type: none"> • 26 November - Site remediation plans approved by the Independent Auditor.
2014	<p>April</p> <ul style="list-style-type: none"> • 16 April - Decision by ACAT - ACT Rural Landholders Assoc Inc &ORS v ACT Planning and Land Authority (Administrative Review). <p>July</p> <ul style="list-style-type: none"> • 1 July - Land Management Agreement completed. • 14 July - Variation to Crown lease registered with land titles office. • 23 July - Procurement process for Head Contractor undertaken. <p>October</p> <ul style="list-style-type: none"> • 8 October - Minister Gentleman exercises 'call in' powers to approve construction of NBHF.
2015	<p>March</p> <ul style="list-style-type: none"> • 30 March - Traditional Smoking Ceremony held on site. <p>April</p> <ul style="list-style-type: none"> • 16 April - St. Hilliers Property Pty Ltd engaged as Head Contractor. <p>May</p> <ul style="list-style-type: none"> • 6 May - Site remediation works commenced and early works construction commence. <p>October</p> <ul style="list-style-type: none"> • 19 October - Request for Proposal (RFP) for a service provider to run the service released, with no tenders received. <p>December</p> <ul style="list-style-type: none"> • 2 December - ACT Health Information session held at the Aboriginal and Torres Strait Islander Cultural Centre, Yarramundi Reach.
2016	<p>January</p> <ul style="list-style-type: none"> • Continued consultation with potential service providers. <p>June</p> <ul style="list-style-type: none"> • Continuing development of proposed final MoC <p>November</p> <ul style="list-style-type: none"> • 9 November - EPA endorse site audit statement with all requirements of remediation met. <p>December</p> <ul style="list-style-type: none"> • 9 December - Facility contract handover to ACT Health. 24/7 security arrangements commenced. • 14 December - Aboriginal and Torres Strait Islander Elected Body members tour of facility.
2017	<ul style="list-style-type: none"> • January to June - Minor construction work being completed, including enhancement of internet services and completion of upgrade works to an all weather secondary emergency access track (access track is a requirement of site emergency management plan and requires completion prior to facility opening).

Questions without notice taken on notice

Canberra Hospital—electrical systems

Ms Fitzharris (*in reply to a supplementary question by Mrs Dunne on Tuesday, 9 May 2017*):

Decisions to discharge patients or reschedule surgery or outpatient appointments occurred where it was deemed clinically appropriate on a case by case basis.

There has not been a clinical review of discharges which took place on the night of 5 April 2017. Discharged patients receive follow up care through their GPs and outpatients, as required in the normal course of care. Readmissions to hospital within 28 days of discharge are reviewed by ACT Health, as per our normal processes. There were no cancellations of surgery or outpatient appointments. Some surgeries and outpatient appointments were rescheduled, in consultation with clinicians, who are qualified to triage patients according to their clinical needs.

Canberra Hospital—electrical systems

Ms Fitzharris (*in reply to a question and supplementary questions by Mrs Dunne and Ms Lee on Tuesday, 10 May 2017*):

1. As a result of the switchboard power outage at Canberra Hospital on 5 April 2017, a fault arose with the batteries that are incorporated into the Cardiac Catheter Lab equipment's back up power supply system, which required replacement and recertification prior to the reinstatement of service.
2. It took five days to restore service due to part availability and the recertification process.
3. The Catheter lab uninterruptible power supply (UPS) system is subject to a regular maintenance schedule.

Public housing—Chapman

Ms Berry (*in reply to a supplementary question by Mr Hanson on Thursday, 11 May 2017*):

The Public Housing Renewal Taskforce (Taskforce) has considered the advice from ACT Fire & Rescue and as a result has ensured that the bushfire analysis completed as part of the Site Investigation Report appropriately considered the risks associated with development of the Chapman site.

The Taskforce has also held further discussions with Housing ACT, who have advised that they have assets already located in Bushfire Prone Areas and that suitable tenants would be considered for allocation to these properties.

Based on these discussions and the advice received as part of the Site Investigation Report, the Taskforce considered that this site remained suitable as an option for the development of replacement public housing. This would provide a range of location choices for public housing tenants with varying needs.

The design and construction process will include a range of measures to ensure the development will meet the required standards for construction in a Bushfire Prone Area. This will be reflected in the final Development Application (DA).

Public housing—Chapman

Ms Berry (*in reply to a supplementary question by Mr Parton on Thursday, 11 May 2017*):

Support from the Emergency Services Agency (ESA) will depend on the form of construction and external works, and the type of tenant to be accommodated. These matters are currently under discussion with the community and are not yet finalised.

A bushfire analysis has been developed as part of the Site Investigation Report. The design and construction process would include a range of measures to ensure the development would meet the required standards for construction in a Bushfire Prone Area. This will be reflected in a final Development Application (DA). The ESA will have an opportunity to comment on the DA.

ACT Health—data integrity

Ms Fitzharris (*in reply to a question and supplementary questions by Mr Doszport and Mrs Dunne on Tuesday, 11 May 2017*):

1. No.
2. Clinical records were not in an insecure state.
3. There was no unauthorised or inappropriate access caused by the system being on an unsupported operating system as additional actions were implemented to mitigate any risks.

Canberra Hospital—security system

Ms Fitzharris (*in reply to a question and supplementary questions by Ms Lee and Mrs Dunne on Tuesday, 11 May 2017*):

1. The security systems were fully restored at approximately 5.00pm, 6 April 2017.
2. No.
3. Not applicable.

Aboriginals and Torres Strait Islanders—bush healing farm

Ms Fitzharris (*in reply to a supplementary question by Mrs Dunne on Tuesday, 11 May 2017*):

The letter was signed by the Executive Director, Policy and Government Relations on 28 July 2016. The offer was authorised by the Acting Director-General of Health on 9 May 2016.

Aboriginals and Torres Strait Islanders—bush healing farm

Ms Fitzharris (*in reply to a supplementary question by Mrs Dunne on Tuesday, 11 May 2017*):

Two models of care have been drafted for the Ngunnawal Bush Healing Farm. Beginning in 2009, the ACT Health has provided \$617,428.53 to organisations for the development of the models of care.