



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

NINTH ASSEMBLY

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Thursday, 25 October 2018

Petitions:

Workers' rights—petition 21-18	4223
Eating disorder healthcare services—petition 7-18 (Ministerial response) ..	4223
Workers' rights—petition 21-18	4224
Eating disorder healthcare services—petition 7-18	4224
Building quality improvement (Ministerial statement)	4226
Moss review (Ministerial statement)	4229
Tree canopy coverage (Ministerial statement)	4235
Royal Commission Criminal Justice Legislation Amendment Bill 2018	4238
Emergencies Amendment Bill 2018	4241
Public Sector Workers Compensation Fund Bill 2018	4245
Annual and financial reports 2017-2018	4247
Order of the day—discharge	4257
Administration and Procedure—Standing Committee	4258
Planning and Urban Renewal—Standing Committee	4259
Executive members' business—precedence	4260
Government Procurement (Secure Local Jobs) Amendment Bill 2018	4260

Questions without notice:

Roads—Gundaroo Drive	4278
Community councils—insurance	4279
Visitors	4280

Questions without notice:

Canberra Hospital—emergency waiting times	4281
Health—breast screening	4282
Canberra Hospital—radiology department	4282
Planning—Kambah	4283
Mental health—occupational violence	4284
Tuggeranong—Mpowerdome	4285
Aboriginals and Torres Strait Islanders—agreement	4286
Crime—motorcycle gangs	4288
Suburban Land Agency—revenue target	4289
Environment—upper Stranger Pond	4290
Economy—credit rating	4290

Papers	4292
--------------	------

Molonglo Valley strategic assessment—independent audit— government response	4292
--	------

Safer cycling reforms—evaluation	4295
--	------

Children's rights (Matter of public importance)	4299
---	------

Adjournment:

Yerrabi electorate	4309
Bryan Pratt—tribute	4311

Schedules of amendments:

Schedule 1: Government Procurement (Secure Local Jobs) Amendment Bill 2018	4312
Schedule 2: Government Procurement (Secure Local Jobs) Amendment Bill 2018	4312

Answers to questions:

Hospitals—staff safety (Question No 1566)	4317
Canberra Hospital—radiology department (Question No 1568).....	4318
Domestic animal services—dogs (Question No 1580).....	4321
Domestic animal services—staffing (Question No 1586).....	4322
Municipal services—rangers (Question No 1611)	4323
Municipal services—drinking water stations (Question No 1632)	4324
Education—NAPLAN testing (Question No 1635)	4325
Transport—park-and-ride facilities (Question No 1639)	4326
Roads—Ginninderra Drive (Question No 1643).....	4327
Children and young people—adoptions (Question No 1645)	4327
Asbestos—block remediation (Question No 1651).....	4330
ACT Health—Director of Medical Imaging (Question No 1681)	4331
Animals—dangerous dogs (Question No 1683).....	4332
Building—code compliance (Question No 1684)	4332
Municipal services—streetlights (Question No 1685)	4334
Animals—dangerous dogs (Question No 1686).....	4335
Municipal services—streetlights (Question No 1688)	4335
Planning—roads (Question No 1689)	4336
Education Directorate—communications (Question No 1690).....	4336
ACT Health—review (Question No 1691).....	4337
Sport—athletics facilities (Question No 1693)	4338
Planning—Woden (Question No 1698)	4339
Light rail—costs (Question No 1701)	4340
ACTION bus service—patronage (Question No 1702)	4341
ACTION bus service—patronage (Question No 1703)	4347
ACTION bus service—patronage (Question No 1704)	4350
ACTION bus service—patronage (Question No 1705)	4359
Municipal services—local shopping precincts (Question No 1710).....	4361
Legislative Assembly members—legal fees (Question No 1713).....	4363
ACT Policing—body cameras (Question No 1714).....	4364
Canberra Hospital—pharmacy department (Question No 1716)	4365
ACT Health—communications (Question No 1717)	4367
ACT Health—infrastructure upgrade (Question No 1718)	4369
ACT Health—budget (Question No 1719).....	4370
ACT Health—communications (Question No 1721)	4371
Schools—English as an additional language (Question No 1722).....	4372
Schools—English as an additional language (Question No 1723).....	4374
Schools—English as an additional language (Question No 1724).....	4375
Hospitals—nurse to patient ratios (Question No 1727).....	4377
Mental health—nurse to patient ratios (Question No 1728).....	4378
Mental health—ministerial briefings (Question No 1729).....	4379
Health—ministerial briefings (Question No 1730)	4381
Mental health—staffing (Question No 1731)	4382
Arts—ministerial briefings (Question No 1732)	4383
ACT Health—infrastructure upgrade (Question No 1733)	4385
Hospitals—sentinel events (Question No 1735)	4388
ACT Health—disciplinary action (Question No 1737).....	4389
Schools—physical education (Question No 1739).....	4390
Courts—heritage value (Question No 1740).....	4391
Animals—dog attack (Question No 1741)	4392

Environment—Ngunnawal trail (Question No 1742)	4394
ACT Ambulance Service—charges (Question No 1743).....	4398
Chief Minister’s Charitable Fund—administration (Question No 1744)	4400
Disability services—grants (Question No 1745).....	4401
Community services—project funding (Question No 1746).....	4401
Elections ACT—electronic voting systems (Question No 1747).....	4402
ACT public service—disability employment (Question No 1748)	4404
Budget—lease variation charge (Question No 1749).....	4406
Disability services—ACT government role (Question No 1750)	4406
Gaming—problem gambling assistance fund (Question No 1752).....	4407
Seniors—rates impact (Question No 1753).....	4409
Budget—domestic and family violence (Question No 1754)	4410
Government—directorate staffing (Question No 1786).....	4411
Government—employee assistance scheme (Question No 1794-1832)	4412
Questions without notice taken on notice:	
Tuggeranong—streetlighting.....	4417
ACT Health—workplace culture.....	4418
ACT Health—workplace culture.....	4418
Government—clubs policy.....	4418
Economy—skilled migration.....	4418
Environment—plastic straws.....	4419
Housing—affordability.....	4420

Thursday, 25 October 2018

MADAM SPEAKER (Ms J Burch) took the chair at 10 am, made a formal recognition that the Assembly was meeting on the lands of the traditional custodians, and asked members to stand in silence and pray or reflect on their responsibilities to the people of the Australian Capital Territory.

Petitions

The following petition was lodged for presentation:

Workers' rights—petition 21-18

By Ms Cody, from 208 residents:

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that:

Cleaners, security officers, catering staff and many other workers who are employed by contract companies work hard to provide services to the ACT Community. This work is often unseen and in the majority of cases performed by workers who have been born overseas.

Wage theft and other unsavoury employment practices have developed throughout many contract industries as has each company either engages in a race to the bottom on wages and safety to win work or to maximise profit.

Vulnerable workers who either do not know their rights or do know their rights but are too afraid to demand them are left to pay the price.

Your petitioners therefore request the Assembly to:

Please support the Government Procurement (Secure Local Jobs) Amendment Bill 2018 to make sure that ACT Government only does business with companies that respect workers' rights.

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

Ministerial response

The following response to a petition has been lodged:

Eating disorder healthcare services—petition 7-18

By **Mr Rattenbury**, Minister for Minister for Mental Health, in response to a petition lodged by Mr Pettersson on 31 July 2018 concerning eating disorder healthcare services in the ACT.

The response read as follows:

Thank you for your letter of 31 July 2018 to the Minister for Health and Wellbeing, Ms Meegan Fitzharris MLA regarding petition 7-18 lodged by Mr Pettersson MLA about Eating Disorder Health Care Services in the ACT. As this matter falls under my portfolio as Minister for Mental Health, I am responding on behalf of Minister Fitzharris.

The enclosed *ACT Eating Disorders Position Statement* is the Government Response to petition 7-18 Eating Disorder Health Care Services in the ACT. This Position Statement has been developed to communicate the guiding principles that outline the ACT Government's approach to the development of eating disorders services in the ACT.

The Position Statement sets out a clear ACT Government commitment to develop services for the treatment and management of eating disorders. It describes a number of the short-term initiatives underway as well as longer term projects that could be pursued, depending on future budgets and more detailed work.

Thank you for raising this matter. I trust this information is of assistance.

Workers' rights—petition 21-18

MS CODY (Murrumbidgee) (10.02), by leave: I would like to briefly talk about the 208 residents who signed the petition which I had the pleasure of tabling in today's parliament. Many times people reckon that not a lot gets done in this Assembly. I am glad to stand here today and see that these 208 people are calling on the government to provide them with secure local jobs by introducing a secure local jobs code, which we are about to debate in this place.

The rights of workers are very important to me. It was wonderful to be contacted by some of these 208 residents saying that we need to protect their rights. This is what Canberra voted for. This is what we are here to do: to deliver for the community which voted for us to represent them. It is my great honour and pleasure to have been able to table this petition from these signatories—cleaners, security officers and catering staff—workers who are affected every day in insecure employment and workers who the secure local jobs code is there to protect.

Eating disorder healthcare services—petition 7-18

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (10.03): I would like to congratulate the lead petitioner, Molly Saunders, for her effort in raising the important issue of eating disorder services in the ACT. I acknowledge her, and others', lived experience and I acknowledge how important that lived experience is in developing our services. I am also grateful to Mr Pettersson for sponsoring the petition.

I think it would be fair to say that eating disorders are poorly understood. I also think it would be fair to say that, partly due to them being misunderstood, they have not always been given enough consideration by health systems. They are not a phase. They are not a “diet gone wrong”. And they are not some sort of growing pain of adolescence. Eating disorders are serious illnesses that cause high levels of psychological distress for people who experience them. A person with an eating disorder has increased risks of developing long-term mental and physical illnesses, an increased risk of premature death due to medical complications, and an increased risk of suicide. And although the incidence peaks nationally between the ages of 12 and 25, eating disorders can occur at any stage of life.

Eating disorders carry extensive costs to individuals, to the community and to the economy. A report by the Butterfly Foundation estimated that in Australia in 2012 eating disorders had impacts on productivity roughly equivalent to \$15.1 billion. These costs are largely borne by individuals, including financial impacts from lower employment participation and greater absenteeism as a result of illness or caring for someone with eating disorders.

A few months ago, I asked ACT Health to carry out some work to consider the current need for eating disorder services in the ACT, the range of services available, and where we need to develop or expand services. ACT Health established an eating disorders working group to review the current eating disorder services in the ACT and provide recommendations for improvement. This working group included key stakeholders from the Capital Health Network, the Australian National University, the Butterfly Foundation, ACT Health clinical and policy staff, and the principal petitioner, Molly, as a consumer representative.

Based on the discussions of the working group and wider consultation and feedback from the community, ACT Health has developed an eating disorders position statement, which I have presented today in response to this petition. This position statement has been developed to communicate the guiding principles that outline the government’s approach to the development of eating disorder services in the territory. The position statement establishes a clear ACT government commitment to develop services for the treatment and management of eating disorders. It describes a number of short-term initiatives that are underway, as well as longer term projects that could be pursued, depending on more detailed work and future budget bids.

The position statement is grounded in the premise that the most effective eating disorder service system enables seamless treatment and transitions across the continuum of health services. This is supported by evidence from eating disorder literature and clinical guidelines. This approach is presented in the position statement as a stepped care model, which emphasises four key pillars that should work together to allow for patients to flexibly step up and step down into appropriate services according to their needs. These are: first, generalist mental health services, including primary care and community programs; second, specialist eating disorder interventions, including day programs and outpatient clinics; third, local hospital interventions, including the management of cases in general medicine and paediatric wards; and, finally, intensive tertiary supports, including multidisciplinary teams and

models of care to support evidence-based treatment in emergency departments and hospital wards.

In making this commitment, the ACT government aims to provide the best treatment and care for people with eating disorders, when they need it and where they need it. We will pursue the current initiatives that are shown to be effective, and I will work with ACT Health to identify how to best proceed with the future options that will further strengthen system responses to eating disorders. In closing, Madam Speaker, let me say that I am grateful to the petitioners for raising the profile of eating disorders and all of those who have contributed to the work to date in order to ensure that we provide better services here in the ACT.

Building quality improvement Ministerial statement

MR RAMSAY (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (10.08): Madam Speaker, I am pleased to make this statement today on my expectations for the quality of buildings in the territory. Since late 2016 I have been responsible for building and construction regulatory services. With ministerial oversight of building quality improvement, I have the additional responsibility for building policy and legislation. This includes the government's improving the ACT building regulatory system reforms program.

Since the review of the ACT Building Act and regulatory system began, the government has undertaken a series of legislative reforms that range from new regulatory powers to better information for the community. These include new powers to condition or refuse licences and require licensees to undertake skills assessments or training; increased penalties for major breaches of the Building Act and for failing to comply with rectification orders; improved information-gathering and sharing powers for investigations; and a wider range of options for the registrar to take action against a licensee to protect the public.

There are increased checks on builder licence applicants and a narrower range of qualifications that are allowed to gain a builder licence. We have created a public register of information about licensees and released guides for people building and buying in the ACT. Under the government's current reform program, we have also expanded the existing statutory warranties to all private residential buildings or parts of buildings, including those above three storeys. We have also made changes to assist in reducing phoenixing and to prevent people shifting their operations between multiple licences to avoid meeting their obligations as a licensee. I acknowledge the extensive policy work already undertaken to review the building regulatory system, develop the current reform program and strengthen the regulatory framework.

In creating this new portfolio, the government is reconfirming its commitment to crack down on poor practices in the building and construction industry and to make sure that only those people who can and will build in accordance with our standards

are allowed to operate in the territory. I have inherited a comprehensive set of reforms integrating policy and legislative changes with improvements in administration and enforcement. I know that these reforms are well supported by industry and the community, and I will continue the work Minister Gentleman started.

The government has previously outlined its priority policy reforms and I reiterate those priorities today: further tighten eligibility for a builder's licence by requiring all applicants for class A, B and C builder licences to pass an examination; provide documentation requirements and guidelines for developing building approval applications; make new codes of practice for builders and building certifiers; and introduce training courses for building surveyors. These steps will make clear the roles, expectations, rights and obligations for different parties, and lift skills and knowledge in the industry. Other reforms will be progressively rolled out over the next two years.

Building regulations and standards are intended to provide protections to building owners and occupants. While we can improve law and help make people's obligations clear when they are not, the main obligations when it comes to building work are already clear. It is clear that buildings must be designed and constructed to comply with the Building Code. It is clear that building work must be carried out in accordance with the building approval. And it is clear that the community expects that if this does not happen the work will be rectified.

Unfortunately, the reality for some people is substandard and non-compliant work, unapproved changes to the building and difficulty in getting developers and builders to fix problems. We have laws for a reason. Building laws respond to community expectations for the safety, health and amenity of our buildings, and for fair practices in the industry. They are there to be complied with.

In June 2018 the Construction Occupations Registrar outlined the operational strategy for building regulation in 2018-19. It aligns with Access Canberra's three strategic objectives for building compliance activities and is consistent with the policy reforms of government. The three strategic objectives in relation to building compliance are protection, prevention and rectification.

In respect of protection, through their actions Access Canberra will seek to protect the community from harm. Access Canberra will act to minimise risks to safety, health, sustainability and amenity, and minimise financial loss from unlawful conduct. In respect of prevention, Access Canberra aims to limit and prevent harm, damage or economic loss by promoting compliance with relevant legislation. And in respect of rectification, Access Canberra can require people who have not complied with their obligations to rectify or remedy identified issues.

As the statutory office holder, the Construction Occupations Registrar is responsible for administering building standards. The registrar's current and future activities will focus on protecting people as the legislation intends. There will be work to improve the accountability and the competence of licensees as well as to increase the industry's responsiveness to problems and emerging issues. There will be more oversight of building projects and other proactive compliance activities and quicker

response to regulatory issues. These activities and directed training will increase licensee capabilities.

In July 2018 the registrar established the rapid regulatory response team, utilising resources from the existing construction audit team. The team responds to building and planning complaints with an aim to undertake a preliminary assessment and inspection of the relevant site within five business days. The point of the preliminary assessment is to establish whether there is a breach of legislation and whether the breach, if any, requires further investigation. Since its establishment, the team has assessed 46 complaints. Of these, 22 complaints have been closed.

The change in approach by Access Canberra has resulted in a reduction of outstanding complaints. In June 2018 there were 224 active complaints across building and planning. In under four months, this has been reduced by over 25 per cent to 166 outstanding complaints. This will improve further. As part of this year's budget the government committed funding for two additional inspectors for Access Canberra to assist with the backlog of building and planning complaints. Access Canberra is currently recruiting to fill these positions.

Madam Speaker, there has been an increase in the use of powers by the regulator in recent weeks. Inspectors have issued stop notices under the Building Act for building work that was not in accordance with the building approval. The registrar has also issued a number of notices of intention to issue a rectification order under the Construction Occupations (Licensing) Act.

These notices relate to a number of multi-unit residential buildings that are experiencing water ingress issues as a result of poor quality work. This again sends the clear message to the industry that the building compliance issues will be taken seriously. Over the coming months the registrar will be meeting with building certifiers to discuss the information that must be lodged at the end of a building project and to create an open dialogue with this sector of the industry.

To help the community and industry there will be improved access to information on building laws and processes, including the roles, rights and responsibilities of each person in the building project. People involved in building projects need this information so that they can make informed decisions. We have some great information on building matters on the Access Canberra and planning websites and we are constantly updating this. We want to make it as easy as possible for people to find the information that they need. To help them, Access Canberra and EPSDD have begun to collate and develop content for a dedicated web portal for building and construction. This portal will be operational in early 2019.

While I have a focus on building issues, the built environment is not just buildings and building standards. I know that concerns and issues about the way developments are planned, designed, constructed and managed are often raised in discussions about building quality. There is a wide range of work underway across planning, urban renewal, housing and related portfolios. I will be working with my colleagues in other connected portfolios to keep Canberra as one of the most livable cities in the world.

Finally, my message to the industry is clear. If you build well and follow the rules, you are welcome in the ACT. To those who do not, if you do not comply with the system and the requirements of your licence, you are not welcome in this industry.

I present a copy of the following paper:

Building quality improvement—Ministerial statement, 25 October 2018.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Moss review Ministerial statement

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (10.18): I am pleased to update the Assembly and community on the significant changes that have been implemented to improve the care and treatment of all detainees at the Alexander Maconochie Centre as a direct result of the recommendations of the Moss review. The update follows on from my first annual report, delivered to the Assembly on 15 February this year. This statement formally marks the closure of the Moss review implementation project, which has been endorsed by Mr Russell Taylor AM, as the independent chair of the Moss review implementation oversight steering committee.

Before I outline the significant changes that have been implemented, I would like to take this opportunity to remember Steven Freeman, a 25-year-old Aboriginal Bundjalung man, who tragically died in custody at the Alexander Maconochie Centre on 27 May 2016. I acknowledge that Steven Freeman's untimely death has had a lasting impact on his family and the Aboriginal and Torres Strait Islander community. I pay my respect to Steven Freeman's mother, Mrs Narelle King, whose strength, resilience and advocacy for change is inspirational. I also acknowledge the profound sense of grief and loss Mrs King and her family have experienced through the loss of their loved one.

Any loss of life in custody is a serious matter and must be investigated fully. It was for this reason that on 2 June 2016 I announced an independent review into Steven Freeman's care and treatment during his time in custody. I subsequently appointed Mr Philip Moss AM as the independent reviewer to lead this important process. The Moss review considered whether ACT Corrective Services systems operated effectively and in compliance with human rights obligations during Steven Freeman's time in custody. It further examined the support services provided by other directorates and ACT Corrective Services partners.

Mr Moss titled his review *So much sadness in our lives: independent inquiry into the treatment in custody of Steven Freeman*. It was made available to me on 7 November 2016, and I publicly released the review on 10 November 2016. The review found that the government must do more to ensure that people in custody are safe and receive culturally safe health care. It highlighted the need for improvements in a range of areas, including increasing cultural proficiency to better manage the welfare of Aboriginal and Torres Strait Islander detainees.

The ACT government responded to the Moss review on 16 February 2016, agreeing to eight of the nine recommendations. These recommendations relate to how the management, care and supervision arrangements for detainees might be improved. Only one recommendation was noted and this was because it related to the independent office of the ACT Health Services Commissioner.

Recommendations made in the Moss review were directed to a number of government directorates and statutory office holders, including the ACT Health Services Commissioner, ACT Policing, the Office of the Director of Public Prosecutions and the ACT Ombudsman. The review also refers to Winnunga Nimmityjah Aboriginal Health and Community Services and encourages their increased participation to deliver culturally safe health services to detainees.

All conclusions made throughout the Moss review under recommendation 9 were noted and have been acted upon. Some of these were general observations made by the reviewer, findings about particular issues or constructive suggestions for action and change. The work achieved so far sets a strong foundation for ongoing systems improvement, especially around the needs of Aboriginal and Torres Strait Islander people. I am pleased to note the Aboriginal and Torres Strait Islander Elected Body has indicated it will continue to oversight progress against these matters as part of its annual hearings process with directorates.

To provide assurance to the community on the progress of the government's response, strong governance arrangements were put in place from the outset to oversee and independently report to me on the implementation of the Moss review. This work was progressed at officer level by an interdirectorate project team and overseen by a high-level oversight steering committee. I appointed an independent chair, Mr Russell Taylor AM, to lead the implementation oversight steering committee and report directly to me on its progress. Members of the implementation oversight steering committee included the directors-general of the Justice and Community Safety Directorate, ACT Health and the Community Services Directorate.

In addition to government representatives, I was keen to ensure key community representatives were included, with strong representation from Winnunga Nimmityjah Aboriginal Health and Community Services, the Aboriginal Legal Service and the Aboriginal and Torres Strait Islander Elected Body to ensure that the interests of the Aboriginal and Torres Strait Islander community were being met throughout this process.

The formation of the implementation oversight steering committee has provided me with assurance that the recommendations have been implemented in the spirit of the Moss review and to community expectations. It has also provided a forum for key representatives of the Aboriginal and Torres Strait Islander community to meet regularly with high-level government officials to discuss issues their community faces. I take this moment to particularly thank Ms Julie Tongs OAM, Mr Anthony Longbottom, Ms Joanne Chivers and Ms Katrina Fanning for their strong contributions and participation in this important process.

Following the first meeting of the implementation oversight steering committee on 25 May 2017, the independent chair, Mr Russell Taylor, informed me that in fulfilling his role he would ensure that the interests of the community and the Freeman family were being met. In doing so, he indicated to me that he would test the implementation strategy for each of the Moss review recommendations against the following three questions: has it been implemented; will it last for the long haul; and does it meet community expectations?

In July 2018 I was informed by Mr Taylor that the implementation oversight steering committee was satisfied that each of the Moss review recommendations had been sufficiently met—with one exception that I will outline shortly—and therefore to close the Moss review implementation project. The independent chair has provided me with closure reports which fully outline the key activities that demonstrate achievement against each of the recommendations. These closure reports have been signed by the chair of the implementation oversight steering committee and the respective leads of the interdirectorate project team, providing strong accountability against their implementation. I will table these reports today, at the end of my remarks.

Steven Freeman's death was also the subject of a coronial inquest, as required by the Coroners Act 1997, as a death in custody. Coronial findings were handed down on 11 April 2018. Coroner Cook made seven recommendations to the ACT government. On 23 August 2018 the government agreed to the seven recommendations made by Coroner Cook. The ACT government has agreed in full to four recommendations and agreed in principle to three.

In February 2017 the ACT Health Services Commissioner advised the ACT government that she would conduct a commission-initiated consideration of matters relating to the delivery of health services within the AMC, in response to recommendation 7 of the Moss review. On 9 March 2018 the ACT Health Services Commissioner publically released her report on the review of the opioid replacement treatment program at the AMC. The report contains 16 recommendation that relate to ACT Health and ACT Corrective Services.

On 23 August 2018 the ACT government responded to the report, agreeing to 12 recommendations, agreeing in principle with three others and noting one of the recommendations. These recommendations are now being implemented by ACT Corrective Services and ACT Health.

A key recommendation from the Moss review was around improved oversight of the ACT's corrections system. Effective independent oversight is vitally important to

maintain public confidence in our correctional services system. Following the Moss review, and due to the unique make-up of the ACT's correctional system—and taking into account existing oversight measures in the ACT—I determined that a new model of oversight was required. In May 2018 the ACT government announced the appointment of Mr Neil McAllister in the role of Inspector of Correctional Services for the territory. The inspector works collaboratively with ACT Corrective Services and oversight agencies to identify issues in adult corrections and propose solutions to promote continuous improvement.

I am pleased to advise the Assembly that the inspector is already fully operational and in June 2018 initiated his first formal review into the management and care of remand detainees at the AMC. While this review is still underway and not yet finalised, the inspector has made a point to commend the professionalism, assistance and friendliness of staff and detainees at the AMC during his visits. It was reassuring for me to hear from an independent oversight body that there is a positive culture operating at the AMC. It should be noted that there is a legislative requirement for the inspector to give to the Assembly a report on any review conducted within six months of completing the review. I look forward to receiving the inspector's report and any findings and recommendations made to improve the health and safety of all detainees.

I advise that the implementation oversight steering committee has found that recommendation 6 of the Moss review could not be met until the ACT government commits to build a separate remand facility within the AMC. The committee has noted that a separate remand facility would meet existing legislative requirements under both the Human Rights Act 2004 and the Corrections Management Act 2007.

Further, the committee recognises that ACT Corrective Services has implemented a range of initiatives to support the intent of the recommendation by improving the induction process, utilising the segregation and separation of detainees, continuing work to refresh and review existing policies and introducing pro-social methods of detainee management. This includes the implementation of a rehabilitation framework and the development of the AMC's operational model.

In addition, as part of the response to recommendation 6, ACT Corrective Services has conducted a feasibility study to identify, prioritise and inform future correctional requirements in a staged, cost-effective manner. This study covers the AMC centre logic referred to in the government's response to the Moss review. The findings of the feasibility study will help to inform future ACT Corrective Services plans for additional capacity and flexibility in detainee classification and placement and inform options to better deal with changing demand conditions.

I advise the Assembly that the feasibility study has found that there is limited scope to increase the number of fixed beds within the existing accommodation and proposes a number of options to inform future decisions about potential building expansion. This study will support business cases for the government to consider in the budget context.

As previously mentioned, the Inspector of Correctional Services is currently undertaking a review into remand detainees at the AMC, and the outcomes of this review will be reported to this Assembly in due course. This review, along with other

work that is being undertaken within ACT Corrective Services as a result of increasing detainee numbers, will inform how best to progress this matter. As highlighted in the Moss review and also demonstrated by the serious assault that was inflicted upon Mr Freeman, the safety and security of all persons within the AMC is paramount to its operating success.

In response to the Moss review recommendations, I was pleased to announce on 7 February this year additional funding of \$8.8 million over the next 3½ years, allocated to improve safety and security at the AMC. This significant new investment also further supports the intent of recommendation 6. It has enabled ACT Corrective Services to employ additional senior staff at the AMC to better manage security, accommodation and detainee services, allowing dedicated and consistent management of these important functional areas within the centre.

As a result of this new funding, an Indigenous services coordinator position and a women's and children's coordinator position have also been created to enhance support and advocacy for these groups. In addition, the women's and children's coordinator will work closely with families of all detainees to mitigate the negative impacts on children of incarcerated parents. ACT Corrective Services recognises the significant impact of parental incarceration on children and has progressed a range of initiatives to alleviate this impact, including an enhanced visits program for parents and children, and Tjillari Justice Aboriginal Corporation has piloted the strong culture, strong families, strong children program in the AMC.

The additional funding also provides for the creation of a centralised intelligence unit which will ensure a greater ability to proactively manage risks within the AMC and across ACT Corrective Services. ACT Corrective Services reports that the new security team has already conducted a number of search operations, seizing a significant number of phones and illicit substances and severing valuable trafficking routes to combat the impact of contraband within the facility.

The additional funding also provides ACT Corrective Services with the capability to work more closely with staff, detainees and the Australian Federal Police to address emerging issues, including contraband, organised crime and countering violent extremism. In addition, ACT Policing has taken actions, in collaboration with ACT Corrective Services, to afford a higher priority to the investigation of any assaults at the AMC. These measures, along with enhanced CCTV coverage, will help to improve the overall safety and security of all persons at the centre and have already led to a number of prosecutions being made for assaults at the AMC.

Another key element of the Moss review is improved health care at the AMC and the importance of culturally safe health services to support the significant over-representation of Aboriginal and Torres Strait Islander detainees. The review concluded that there is a need to better integrate Winnunga Nimmityjah Aboriginal Health and Community Services to provide a holistic approach to health care at the AMC in a culturally safe way.

In response to this, on 7 February this year I announced that the ACT government has allocated \$8.3 million over 2½ years to integrate the Winnunga model of care into the

AMC to provide holistic health services to Aboriginal and Torres Strait Islander detainees. This new model of care will provide better continuation of health care for detainees when they enter custody and on their return to the community, especially Aboriginal and Torres Strait Islander detainees who are already clients of Winnunga. In effect, it provides a through-care health service that will help to provide more consistent health service delivery for those clients that move from custody to the community and vice versa.

As Minister for Corrections and Justice Health, it has been pleasing to see ACT Corrective Services and ACT Health work collaboratively with Winnunga to develop and agree to a best practice model of Aboriginal and Torres Strait Islander health service delivery at the centre. This groundbreaking partnership will assist in maintaining cultural connections and improving the overall wellbeing and safety of all detainees, especially Aboriginal and Torres Strait Islander detainees, by providing a more culturally safe health service within the AMC.

Since 2 July staff from Winnunga have been present at the AMC, developing protocols for service delivery. In preparation for the delivery of health services, the CEO of Winnunga has conducted site visits at the AMC. The Winnunga nurse manager has also undertaken a site visit to observe medication rounds and other health processes within the Hume Health Centre. A senior governance forum will be established as a mechanism for Winnunga, ACT Health and ACT Corrective Services to monitor, manage and develop health services into the future. Winnunga officially launched their model of care in the AMC on 15 October.

As part of Mr Taylor's closing report, the independent chair expressed his concern about the rate of Aboriginal and Torres Strait Islander incarceration in the ACT. Mr Taylor has urged the ACT government to act now to implement new programs, invest in housing programs and try new and innovative programs to reduce the rate of incarceration of Aboriginal and Torres Strait Islander peoples. I wish to assure the Assembly and the community that the ACT government takes this advice of Mr Taylor and the implementation oversight steering committee very seriously. The government is committed to addressing elements of the criminal justice system that disproportionately impact on the Aboriginal and Torres Strait Islander community.

This work is further strengthened by committing to a deliberately ambitious measure in the ninth parliamentary agreement to reduce recidivism by 25 per cent by 2025. Justice reinvestment trials form part of our commitment to reducing recidivism. As a comprehensive plan for reducing recidivism is being developed, it will focus on the key issue of reducing the incarceration of Aboriginal and Torres Strait Islander people.

In his report, Mr Taylor has encouraged building on already established programs, such as the Ngurrambai bail support trial that was launched on 7 December 2017, providing individualised bail support to Aboriginal and Torres Strait Islander accused persons at the Magistrates Court and on an outreach basis. The importance of housing remains a critical element in improving justice outcomes for people seeking bail and reducing the number of people being held in custody on remand. The

government will continue to look at ways to increase housing options for clients to support the success of the Ngurrumbai bail support trial.

Given the significant growing economic and social costs of incarceration to the community, the ACT government continues to explore ways to develop more effective community supports to reduce reoffending, promote safe and sustainable bail options and strengthen alternatives to prison, ensuring that custody remains the last option. It is recognised that culturally appropriate support programs in the community and at the AMC have the potential to alleviate the discrimination and disadvantage experienced by Aboriginal and Torres Strait Islander detainees. The government will continue to consider investing in a variety of programs to reduce the incarceration of Aboriginal and Torres Strait Islander people, to breach the cycle of disadvantage and trauma.

I am pleased to advise that the ACT government has taken strong and positive steps to fully implement the Moss review recommendations as far as possible, which leaves a strong and lasting legacy in memory of Mr Steven Freeman. While we can never, ever replace the loss of Steven Freeman or change the past, I can, however, say that the response to this tragic death has led to significant improvements being made within the AMC and across ACT Corrective Services and justice health. These will be lasting changes that help to improve the safety, security, health and wellbeing of all detainees at the AMC.

Finally, I would like to acknowledge the extensive work undertaken to implement these recommendations, achieving enduring and positive systemic change. The chair of the implementation oversight steering committee has noted the genuine commitment and collaboration demonstrated by the interdirectorate project team to implement the recommendations. I would like to echo this sentiment and also thank all members of the implementation oversight steering committee for providing sound direction and advice to achieve these results.

I present the following papers:

Moss Review Recommendations—

Closure—Ministerial statement, 25 October 2018.

Closure report, dated October 2018.

I move:

That the Assembly take note of the ministerial statement.

Question resolved in the affirmative.

Tree canopy coverage

Ministerial statement

MR STEEL (Murrumbidgee—Minister for City Services, Minister for Community Services and Facilities, Minister for Multicultural Affairs and Minister for Roads) (10.39): I welcome the opportunity to report back to the Assembly on what we are

doing to protect and increase Canberra's tree canopy coverage. Transport Canberra and City Services maintains over 776,000 trees in our streets and urban open spaces. This represents a canopy cover of approximately 20 per cent. To ensure we retain and expand our urban forest, the ACT government's winter tree planting program planted 608 trees over the season.

A healthy urban forest underpins the economic, cultural, environmental and social fabric of Canberra. It is also one of the key responses in our preparation for a warming environment, increasing our resilience and sequestering carbon. Living infrastructure, which includes trees, open green spaces, waterways and plants placed on the sides and tops of buildings, can provide an enormous benefit to our adaptation to future climate change. Trees help to moderate temperature extremes and weather events, provide shelter and improve amenity and property values. All these benefits, if properly considered, vastly outweigh the cost of planting and maintaining them.

The debate on the motion in the Legislative Assembly on 25 October 2017 reinforced the benefits that trees bring to our community and the importance of ensuring that the urban forest is retained and expanded. We have also heard from the community, through a number of forums, that trees are important. The better suburbs statement, created by the citizens forum, listed street and park trees as the second highest priority. The forum went further and, consistent with the motion from last year, called for a tree canopy coverage target. Specifically, the forum recommended a target of 30 per cent.

Since the motion was agreed, the government has set about doing the work that will ensure we are able to protect and enhance our urban forest. In February 2018 the Environment, Planning and Sustainable Development Directorate consulted with the community on a discussion paper on the living infrastructure plan. This was in conjunction with the broader climate change strategy being developed by Minister Rattenbury.

Trees and living infrastructure are, of course, a critical part of our response to climate change, for both their mitigation and their adaptation qualities. Through this process a number of excellent ideas were put forward by the community. The living infrastructure plan is now under development and will set out policies and actions necessary to enhance our urban forest, open spaces and waterways as essential elements in helping to address the impacts of climate change on our city.

The draft plan highlights how, through the strategic use of living infrastructure, we can better equip our city to cope with more severe extreme weather events, including heatwaves, droughts, storms, flash flooding and bushfires. The plan will include actions to help drive the necessary changes to business as usual in how we design, develop and maintain our city to retain and enhance our living infrastructure, one of its most valuable assets. It focuses on the public realm, but it will also affect how private land is developed in the future.

The actions being considered in the plan are informed by evidence from ongoing or completed research projects and analysis, including mapping surface urban heat by the CSIRO; a community climate resilience survey by the University of Canberra; tree

species research by the ANU Fenner School; a living infrastructure study by the Tait Network; and environmental economic accounting by the CSIRO. As these reports are completed they will become publicly available as reference documents.

Through our work with the CSIRO we are improving our understanding of the value that living infrastructure provides to Canberra. It is not just the shading and cooling effects from living infrastructure that are important but also the many environmental services living infrastructure provides, such as cleaning our air and water and providing areas of respite in hot weather. Understanding these services reminds us that enhancing our urban forest is an investment in our city's future.

As committed to in the motion last year, the government will also review the Tree Protection Act as part of this broader process. The intention is that amendments to the act will support the implementation of and align with the objectives of the living infrastructure plan.

The motion also called for a review of the Territory Plan and infrastructure design standards, and I am pleased to report that the government has made significant progress in this respect in 2018. Minister Gentleman has been leading a refresh of the ACT planning strategy, and in September 2018 the Environment, Planning and Sustainable Development Directorate completed a significant community engagement process on this refresh.

During consultation the directorate hosted more than 90 people in workshops, 50 people in planning in the pub sessions and more than 500 in the speaker series, which was live streamed on Facebook. The feedback received from the community will be considered in the development of a new planning strategy for Canberra. Good progress is also being made on revising the infrastructure design standards as part of this broader picture of work.

The government is committed to protecting and enhancing the urban forest in our bush capital, and I look forward to reporting further on this matter next year, in line with the motion. I present a copy of the statement:

Canberra's tree canopy coverage—To protect and increase—Ministerial statement, 25 October 2018.

I move:

That the Assembly take note of the paper.

MS LE COUTEUR (Murrumbidgee) (10.45): I am very happy to hear about progress in the response to my private members' business motion of October last year. Trees are important, and the Greens have always stood up for trees in Canberra. We know that the people of Canberra highly value their trees. We had a survey on what should be the slogan on our numberplates, and it is "The Bush Capital". The people of Canberra love our trees.

As Minister Steel said, trees are really important to Canberra in terms of ameliorating our summer temperature and also our winter temperature. In the summer, the difference in temperature between pavements in the sun and in the shade can be over 12 degrees, and in the winter the trees can help keep us warm by stopping the really biting winds. Trees are a carbon sink, and removing trees releases greenhouse gases. I talked in my adjournment speech yesterday about how important it is to take immediate action on climate change, and this is one of the small things we could do.

Minister Steel gave us some very interesting statistics. We have 766,000 trees in our urban forest but only 608 were planted over the winter season. I did a quick check and that is around 0.08 per cent of our forest, which has to be less than the death rate of existing trees. On the basis of Minister Steel's comments, it does not look like we are even keeping up with maintaining and preserving our current urban forest.

This is particularly relevant because, as we all observe, older suburbs are losing their trees through redevelopment. In new suburbs existing trees are cleared, houses are built and in many cases there is no space for any new trees. Our older trees of course are also under threat from not only old age but drought. As we know, the ACT is in drought and in the part of Woden where I live you can see quite a lot of very old eucalyptus which are either dying or have died already. We need to take strong action on trees now.

As I said, I am pleased the action has started. The living infrastructure plan my colleague Minister Rattenbury is working on will obviously be a critical part of this work. It is going to set the canopy targets, which is one of the things the reviews need to know what they are aiming for. In this context it was great to see that citizens, in the better suburbs statement, went for a 30 per cent canopy target. That would appear to be over all the urban areas of the ACT.

I am very pleased also to hear that work has started on the Tree Protection Act review, but I am a little more concerned about the Territory Plan element. I am concerned that having this as part of the broader review of the Territory Plan has considerable risks. I have heard Mr Ponton, the director-general, say on numerous occasions that the Territory Plan is going to be a one-page document. We probably need at least one page just on trees, so I am a little concerned about that. I am also concerned about timing. My motion specified completion by this time next year, and the last Territory Plan overhaul took many years. We do not have many years to improve how we look after trees in the ACT.

Thank you, Minister Steel, for your report. I look forward to more and accelerating work on this in the future.

Question resolved in the affirmative.

Royal Commission Criminal Justice Legislation Amendment Bill 2018

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

Title read by Clerk.

MR RAMSAY (Ginninderra—Attorney-General, Minister for the Arts and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (10.50): I move:

That this bill be agreed to in principle.

Today I present the Royal Commission Criminal Justice Legislation Amendment Bill to the Assembly. This bill makes a number of substantive and positive changes to ACT legislation following the Royal Commission into Institutional Responses to Child Sexual Abuse. The bill is the second bill to implement recommendations from the royal commission, establishing the legal framework for the protection of people, primarily children, from sexual violence by implementing eight key recommendations.

In summary, the bill will create an important new criminal offence of failing to protect children; it will improve our court procedures for charging and sentencing people who target children; and it will make improvements to our court and evidence procedures to support vulnerable people in the courtroom.

I have spoken before in this place about the importance of the royal commission. As I have said and will continue to say, the abuse of a child is a terrible crime perpetrated against the most vulnerable in our community, and it cannot be tolerated. It is a fundamental breach of the trust which children are entitled to place in adults. We must acknowledge our collective failures to protect children in the past and take responsibility for protecting them in the future.

On 22 October 2018, Prime Minister Morrison delivered the national apology to victims and survivors of institutional child sexual abuse. It acknowledged and apologised for the unacceptable and widespread failures to protect children identified by the royal commission. It acknowledged the need to take responsibility for those failures and to ensure they are not repeated. The apology also reaffirmed Australia's shared commitment to implementing the recommendations of the royal commission.

Prime Minister Morrison stated:

... acting on the recommendations of the royal commission with concrete action gives practical meaning to today's apology.

As was said by the national apology reference group, "An apology without action is just a piece of paper." The Leader of the Opposition said during Monday's apology:

We have the power, the authority and the responsibility to turn these recommendations into actions, without caveats or compromise.

Former Prime Minister Julia Gillard recently stated:

The institutional failures and cover-ups that compounded and prolonged the suffering of victims are a stain on our country's history.

Ms Gillard has called on governments to exercise “due diligence and judicious decision-making to bring the royal commission’s recommendations to life”.

Today’s bill is an acknowledgement of our responsibility and represents our ongoing commitment to taking action. The government has already implemented a number of recommendations from the royal commission, some non-legislative and some legislative, that formed part of the Crimes Legislation Amendment Act passed by the Assembly in February this year. This bill represents the second legislative implementation of the royal commission criminal justice recommendations and it will be followed by further reforms, through both future bills and non-legislative reform.

Let me turn to each of the amendments giving effect to the royal commission’s recommendations in this bill. These amendments represent an important step as we keep on working to deliver a stronger legal framework for survivors. The bill includes a new offence that the royal commission recommended all jurisdictions should implement. It will create a new crime for people in authority in an institution failing to protect against the risk of child sexual abuse.

This offence will work to help prevent the unacceptable failures we saw through the royal commission report of people in authority moving known abusers to different roles in the same institution and allowing them to continue to perpetrate abuse on new children in that institution. There were numerous examples outlined in the royal commission report and in their case studies detailing the repeated failure of people in authority at institutions to act appropriately when allegations of child sexual abuse were made.

The royal commission’s case studies detail at great length institutional practices of concealing abuse and moving abusers to protect institutions rather than children. The inclusion of this offence is aimed at preventing such appalling failings from occurring in the future. This offence supports the ACT government’s commitment to reduce and protect against child sexual abuse in our community and our institutions.

In addition to a new offence, the bill continues the work of ensuring that our criminal procedures are effective in holding abusers to account for their crimes. Amendments in this bill will allow for the charging of child sexual offences as courses of conduct. What that means, for example, is that a single charge of sexual intercourse with a young person can be charged by describing a pattern of behaviour over several months.

A discrete time, place and allegation for each alleged incident will not be required for the charge. The royal commission found that making a complainant prove specific particulars in persistent child sexual abuse matters acts against the common experience of complainants who have suffered ongoing repeated abuse so that delineating separate acts may be, at best, an artificial exercise that does not convey the nature of the abuse they endured and, at worst, impossible. This bill will ensure that the way child sexual offences are charged and heard aligns with the evidence and the recommendations from the royal commission.

Additionally, to better recognise the shift in attitudes towards child sexual offending, the bill amends sentencing legislation to ensure that current sentencing practices are applied when sentencing for historic offences. It is important to note, however, that there is no proposed increase to any penalty available at the time the offences were committed. In recommending this change, the royal commission noted that historic sentencing practices downplay the long-term psychological harm to victims caused by sexual abuse and that sentencing offenders under historic standards could potentially have the effect of undermining public confidence in the judicial system or deterring complainants from coming forward in historic cases.

Finally, the bill makes broad changes to the Evidence (Miscellaneous Provisions) Act, the EMPA, to implement five royal commission recommendations, as well as a number of amendments that were proposed by ACT stakeholders through consultation on the royal commission report. The ACT has extensive special measures in place for a broad range of child and adult victims and witnesses in order to ensure access to justice, reduce trauma and capture the best quality evidence for the court. The additions in this bill strengthen those existing measures to ensure the royal commission recommendations are fully implemented.

The changes to the EMPA improve access to justice for vulnerable witnesses, allow better responses for children and their support networks when allegations of a crime are made, and aim to improve the timeliness and experience of giving evidence for children in particular. In drafting the provisions for the bill, due to the number of amendments required to various sections, the structure of the chapter containing the special measures has been updated and streamlined. The new structure retains the existing special measures but will make a big impact on improving the readability of the EMPA. This has the benefit of making the provisions more accessible for people in the justice system.

Madam Speaker, overall, the bill will improve the ACT justice system's response to sexual violence by working towards a seamless legal framework for those who engage with it and by improving access to justice for victims. It does this by turning the recommendations of the royal commission into concrete changes in our legislation. The bill is an important step to providing fair and just legal responses to sexual violence, especially child sexual abuse, to ensure that those who use sexual violence are held accountable for their actions.

This bill is yet another example of the government's solemn commitment to take responsibility and to implement the findings of the royal commission. We will keep working to improve our legal system and we will keep demonstrating in our words, in our actions and in our laws that protecting children is our absolute priority. I commend the bill to the Assembly.

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

Emergencies Amendment Bill 2018

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 the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (11.00): I move:

That this bill be agreed to in principle.

I present the Emergencies Amendment Bill 2018 to the Assembly. The safety, security and wellbeing of territorians is a fundamental responsibility of this government. The outlook for the 2018-19 bushfire season is especially unfavourable. Like most of south-eastern Australia, the territory is facing significant dry conditions as a result of the drought and the increased likelihood of bushfires. I have already provided a statement to the Assembly about the early start to the 2018-19 bushfire season and the work that is underway to prevent, prepare, respond to and recover from an emergency, should one occur.

In addition, Australia, like most of the world, is facing a heightened security threat environment. Acts of terrorism or cyber-attacks against our critical infrastructure are just some of the security threats that all governments must continue to work together to mitigate.

Madam Speaker, preparedness for emergencies will continue to be a key priority for this government. The ACT's emergency management procedures are governed by the Emergencies Act 2004, which has provided a sound framework for managing emergencies in the ACT since 2004. The existing act is crucial and critical for the ACT at this time, the start of the bushfire season, as it provides the governance mechanisms for managing all emergencies. Furthermore, the role of the act in supporting a response to a potential terrorist attack in the ACT cannot be understated.

The current act was enacted to revise the previous emergency management legislation following the catastrophic 2003 Canberra fires. The act consolidated the territory legislation governing the four emergency services: the fire brigade, the Ambulance Service, the Rural Fire Service and the State Emergency Service. The previous broad structure was replaced with a more cohesive and strategically focused management structure under the Emergency Services Agency Commissioner, who is responsible for the operation of the ACT Emergency Services Agency, ESA.

ESA is responsible for the overall strategic direction and management of the four individual emergency services, while the day-to-day functions are directly managed by the chief officers, who are ultimately responsible to the commissioner. The benefits of this consolidation have included the integration of the emergency services, removing the duplication of services, improving operational responses and simplifying the legislation.

Recently the government identified the opportunity to strengthen several aspects of the act to better support the governance of security and emergency management in the

ACT and emergency response procedures. Following considerable consultation with stakeholder agencies in 2018, this bill has been drafted to provide the best possible legislative framework for managing emergencies in the ACT.

Madam Speaker, while these amendments are largely technical, they are nevertheless significant, as they streamline emergency governance arrangements and clarify the framework of emergency plans to include emergency sub-plans. I acknowledge the security and emergency management branch of the Justice and Community Safety Directorate, JACS, and the ESA, ACT Policing and the Parliamentary Counsel's Office for their work to prepare the bill for the Assembly's consideration.

One of the amendments to the act is to strengthen the membership of the Security and Emergency Management Senior Officials Group, SEMSOG. SEMSOG is a statutory body established under the act, with the main function to provide for liaison between entities in relation to emergency management. At present, SEMSOG consists of the Director-General of JACS, the ESA Commissioner, the chief officers of the four emergency services, the Chief Police Officer, the Chief Health Officer, and other members appointed by me.

Other directors-general and the Under Treasurer play a critical role in the coordination of ACT government resources during an emergency. The bill therefore makes provision for all ACT government directors-general to be automatic members of SEMSOG. The automatic appointment of these officials will also eliminate the requirement for separate appointment processes for each official appointed to SEMSOG, including when their position titles change.

The act states that the main function of SEMSOG is "to provide for liaison between entities in relation to emergency management". However, SEMSOG has a diverse role that includes providing whole-of-government policy development and coordination on matters relating to security and emergency management. For example, SEMSOG oversees the implementation of the ACT's protective security policy framework, the PSPF, and the ACT government's implementation of Australia's strategy for protecting crowded places from terrorism. The bill therefore includes an additional function for SEMSOG of enhancing security as well as enhancing emergency management. This amendment will formalise SEMSOG's de facto responsibility for maintaining security and emergency management capability in the ACT. This will also ensure that SEMSOG has a clear statutory basis on which to provide governance of security matters for the ACT government.

The act currently provides that the ESA Commissioner must prepare, and give to the minister, a draft emergency plan for the ACT. The act also requires that the emergency plan must include a plan for an emergency if there is a reasonable possibility of that emergency happening in the ACT. As part of the ACT's emergency management framework, individual directorates and agencies have developed a wide range of emergency sub-plans. Some sub-plans are either hazard-specific sub-plans, for example, the storm sub-plan and bushfire sub-plan, or supporting sub-plans, for example, the urban search and rescue sub-plan. These sub-plans are important as they set out the approach that will be taken in combating specific hazard types.

These plans are referred to as sub-plans to avoid confusion with the ACT's primary emergency plan. However, the act is not clear on whether these sub-plans are recognised in their own right as emergency plans under the act. The bill will amend the act to formally recognise these emergency sub-plans, ensuring that they have a sound statutory basis and can be maintained accordingly. Furthermore, because the act requires that the emergency controller must exercise functions in accordance with the emergency plan, the bill will clarify that the emergency controller must also exercise his or her functions in accordance with the emergency sub-plans.

Currently, under the act, only the Chief Minister has the power to appoint an emergency controller or declare a state of emergency, so the question arises: what would happen if the Chief Minister was absent or unable to perform his or her functions under the act? Clearly, the declaration of an emergency and the appointment of an emergency controller are both critical to the management of an emergency. The bill will therefore clarify any legal ambiguity arising between the act and the Australian Capital Territory (Self-Government) Act so that the Deputy Chief Minister can act as the Chief Minister when the Chief Minister is absent from duty or unable to exercise his or her powers.

Under the current provisions in the act, the Chief Minister can make a statutory appointment to the position of emergency controller, either outside of or during a declared state of emergency. However, under the Legislation Act 2001, where a non-ACT public servant is to be appointed to a statutory position for longer than six months, or where a non-ACT public servant is to be appointed for a second or consecutive appointment, the minister is required to consult with the appropriate standing committee of the Legislative Assembly prior to making the statutory appointment. For example, where the Chief Minister seeks to reappoint the Chief Police Officer, who is a non-ACT public servant position, as an emergency controller, following their initial appointment the Chief Minister must first consult with the appropriate Legislative Assembly standing committee. Given the time-critical nature of emergencies, it is clearly desirable that the appointment of the emergency controller should not be delayed pending the convening of the appropriate Legislative Assembly standing committee. The bill provides an exemption from compliance with this requirement on the appointment of an emergency controller in an emergency situation.

The act requires that the ACT emergency plan must include a community communication and information plan for communicating information to the community during an emergency. The bill will now require a specific standalone community communication and information plan. This provision is important as it gives effect to the recommendations arising out of the McLeod review after the 2003 Canberra bushfires.

The act confers the power on the Chief Minister to appoint an emergency controller outside of a declared state of emergency. This situation may occur where the Chief Minister is satisfied that an emergency has happened, is happening or is likely to happen but it is not necessary to declare a state of emergency. While the Chief Minister may revoke the appointment of an emergency controller at any time, under

the existing provisions the appointment of an emergency controller is automatically terminated seven days after the day the appointment was made or if a state of emergency is declared.

However, in an emergency situation, it is likely that an emergency controller appointed by the Chief Minister outside of a state of emergency will continue if the emergency worsens and a state of emergency is declared. Therefore, the termination of an emergency controller's appointment on the declaration of the state of emergency is administratively unnecessary and impacts on the continuity of the emergency controller's role at the most critical time during an emergency situation. Furthermore, there is a risk that the requirement to reappoint the emergency controller, in the chaos of an emergency, gets overlooked and one could have a situation where the emergency controller acts in that role without the necessary powers and protections conferred under the act. Therefore, the bill will amend the act to ensure that, where a state of emergency is declared, the appointment of the emergency controller would not be terminated.

In conclusion, the ACT is facing a challenging bushfire season ahead. With climate change, this scenario is likely to continue. In addition, the ACT continues to operate in a heightened security threat environment which will not abate in the near future. This bill will clarify and further strengthen the legal and policy frameworks for the ACT government to prevent, prepare, respond to and recover from emergencies and ensure the safety of the public in the territory. I commend the bill to the Assembly.

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

Public Sector Workers Compensation Fund Bill 2018

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

Title read by Clerk.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Disability, Minister for Children, Youth and Families, Minister for Employment and Workplace Safety, Minister for Government Services and Procurement, Minister for Urban Renewal) (11.13): I move:

That this bill be agreed to in principle.

Today I present the Public Sector Workers Compensation Fund Bill 2018, hereafter referred to as the bill, to the Assembly. This bill follows the ACT government's decision to obtain a self-insurance licence under the Safety, Rehabilitation and Compensation Act 1988, the SRC Act.

The intention is that this bill will establish the infrastructure and supporting arrangements for the financial and prudential governance of the territory's assets in relation to meeting our liability for workers compensation under the SRC Act. Specifically, this bill establishes a separate reporting entity for the management of a

dedicated fund with the necessary accountability, transparency and governance arrangements in place to ensure that the territory meets its liabilities in relation to its public sector workers that are covered under the SRC Act.

As the Assembly may be aware, the territory has now applied to become a licensed self-insurer for workers compensation under the SRC Act. If the territory's self-insurance licence application is granted, the territory will be responsible for managing any new workers compensation claims made by its workers. The territory will also take over liability for existing claims by past and present ACT public sector workers.

The territory's public sector workers compensation claims are currently managed by Comcare under the SRC Act. The territory has delegated responsibility for return to work and vocational rehabilitation services which are performed by the Chief Minister, Treasury and Economic Development Directorate.

The benefits of becoming a licensed self-insurer under the SRC Act are clear. It will provide the territory with more control and accountability in managing its public sector workers compensation claims portfolio. This would in turn assist the territory to realise a range of benefits, including improved health and return to work outcomes for injured ACT public sector workers, greater influence on the quality of support services and avoiding decisions at the federal government level in relation to the Australian public service, such as recruitment freezes or similar, impacting on the territory's capacity to manage workers compensation claims.

The separate fund provided under this bill for the management of the territory's workers compensation assets will establish governance and management arrangements in relation to those assets. I expect this legislation will be closely considered by the Safety, Rehabilitation and Compensation Commission, known as the SRCC, in considering the territory's self-insurance licence application. As a licensed self-insurer, the territory would be required to have appropriate prudential and financial governance arrangements in place to demonstrate that it can meet existing and future workers compensation liabilities in relation to the ACT public sector.

This bill is integral to meeting this requirement. Key elements of the bill include the establishment of a separate fund and reporting entity, the public sector workers compensation fund, for the purposes of ACT public sector workers compensation assets and liabilities, which will ensure transparency and accountability; and the management of assets held in the fund, specifically only allowing payments in connection with the territory's obligations as a licensed self-insurer to be made from the fund as stated in the bill.

Further elements include provisions regarding the determination of premium amounts to be paid by the territory into the fund to cover ACT public sector workers compensation liabilities; provisions regarding the investment of amounts held in the fund to maximise the efficiency of the territory in meeting its workers compensation liabilities; powers to make guidelines in relation to the fund, including, but not limited to, the investment of amounts held in the fund; the acceptable funding ratio for the

fund and the period of time in which the fund must return to an acceptable funding ratio if the fund is in deficit; how premium amounts are to be determined; reporting obligations of the fund, apart from those already covered in the Financial Management Act 1996; and financial and governance requirements that must be met by any contracted claims manager.

The bill will also establish a commissioner who will be responsible for managing the fund and empowered to engage consultants such as an actuary, for the purposes of monitoring the performance of the fund, and a third-party claims manager to manage the territory's public sector workers compensation claims.

The bill also establishes an advisory committee, made up of members representing the interests of workers as well as the interests of public sector bodies. The functions of the advisory committee are to include advising the minister in relation to the operations of the fund and assisting in meeting the territory's workers compensation liabilities by providing advice about claims management in relation to injured employees of the territory.

The commencement of the bill has deliberately been delayed in order to have the provisions of the bill commence at the same time as the territory becomes a licensed self-insurer under the SRC Act. It is anticipated that this is likely to occur on 1 March 2019. The exact timing of this will depend on the consideration of the territory's self-insurer licence application by the SRCC. It is anticipated that this will take place on 28 November 2018.

The ACT government is committed to improving the health and safety of workers in the ACT, including within the public sector. I consider that the territory's self-insurance arrangements under the Comcare scheme will improve the effectiveness and efficiency of the ACT public sector workers compensation claims management processes. Establishing the public sector workers compensation fund and the related governance arrangements provided in the bill is a key step toward the successful implementation of the territory's self-insurance arrangements. These will in turn provide better return to work outcomes for injured ACTPS workers and their families, reduced costs for the ACT government in managing workers compensation claims and, more broadly, productivity improvements and economic benefits for the ACT community. I commend the bill to the Assembly.

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

Annual and financial reports 2017-2018

Reference to standing committees

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

That:

- (1) the annual and financial reports for the financial year 2017-2018 and for the calendar year 2017 presented to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 2004* stand referred to the standing committees, on presentation, in accordance with the schedule below;

- (2) the annual report of ACT Policing stands referred to the Standing Committee on Justice and Community Safety;
- (3) notwithstanding standing order 229, only one standing committee may meet for the consideration of the inquiry into the calendar years 2017 and financial year 2017-2018 annual and financial reports at any given time;
- (4) standing committees are to report to the Assembly on financial year reports by the last sitting day in March 2019, and on calendar year reports for 2017 by the last sitting day in March 2019;
- (5) if the Assembly is not sitting when a standing committee has completed its inquiry, a committee may send its report to the Speaker or, in the absence of the Speaker, to the Deputy Speaker, who is authorised to give directions for its printing, publishing and circulation; and
- (6) the foregoing provisions of this resolution have effect notwithstanding anything contained in the standing orders.

Annual Report (in alphabetical order)	Reporting area	Ministerial Portfolio(s)	Standing Committee
ACT Auditor-General		Office of the Legislative Assembly	Public Accounts
ACT Building and Construction Industry Training Fund Authority		Minister for Vocational Education and Skills	Education, Employment and Youth Affairs
ACT Electoral Commission		Office of the Legislative Assembly	Justice and Community Safety
ACT Gambling and Racing Commission		Minister for Business and Regulatory Services	Justice and Community Safety
ACT Human Rights Commission		Minister for Justice, Consumer Affairs and Road Safety	Justice and Community Safety
ACT Insurance Authority		Minister for Government Services and Procurement	Public Accounts
ACT Long Service Leave Authority		Minister for Employment and Workplace Safety	Education, Employment and Youth Affairs
ACT Ombudsman		Office of the Legislative Assembly	Public Accounts
ACT Policing		Minister for Police and Emergency Services	Justice and Community Safety

Annual Report (in alphabetical order)	Reporting area	Ministerial Portfolio(s)	Standing Committee
Canberra Institute of Technology (2017)		Minister for Vocational Education and Skills	Education, Employment and Youth Affairs
Chief Minister, Treasury and Economic Development Directorate	Architects Board of the ACT	Minister for Building Quality Improvement	Planning and Urban Renewal
Chief Minister, Treasury and Economic Development Directorate	ACT Third Party Insurance Regulator	Treasurer	Public Accounts
Chief Minister, Treasury and Economic Development Directorate	ACT Construction Occupations	Minister for Building Quality Improvement	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	ACT Executive	Chief Minister	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	ACT Government Procurement Board	Minister for Government Services and Procurement	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Director of Territory Records	Chief Minister	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Environment Protection Authority	Minister for Business and Regulatory Services	Environment and Transport and City Services
Chief Minister, Treasury and Economic Development Directorate	Lifetime Care and Support Fund	Treasurer	Public Accounts
Chief Minister, Treasury and Economic Development Directorate	Office of the Nominal Defendant of the ACT	Treasurer	Public Accounts

Annual Report (in alphabetical order)	Reporting area	Ministerial Portfolio(s)	Standing Committee
Chief Minister, Treasury and Economic Development Directorate	Government Policy Reform	Chief Minister	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Workforce, Capability and Governance	Chief Minister	Public Accounts
Chief Minister, Treasury and Economic Development Directorate	State of the Service Report	Chief Minister	Public Accounts
Chief Minister, Treasury and Economic Development Directorate	Coordinated Communication and Community Engagement	Chief Minister	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Digital Strategy	Chief Minister	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Access Canberra	Minister for Business and Regulatory Services	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Superannuation Provision Account	Treasurer	Public Accounts
Chief Minister, Treasury and Economic Development Directorate	Territory Banking Account	Treasurer	Public Accounts
Chief Minister, Treasury and Economic Development Directorate	Economic Management	Treasurer	Public Accounts
Chief Minister, Treasury and Economic Development Directorate	Financial Management	Treasurer	Public Accounts

Annual Report (in alphabetical order)	Reporting area	Ministerial Portfolio(s)	Standing Committee
Chief Minister, Treasury and Economic Development Directorate	Workforce Injury Management and Industrial Relations Policy	Minister for Employment and Workplace Safety	Education, Employment and Youth Affairs
Chief Minister, Treasury and Economic Development Directorate	Revenue Management	Treasurer	Public Accounts
Chief Minister, Treasury and Economic Development Directorate	Shared Services	Minister for Government Services and Procurement	Public Accounts
Chief Minister, Treasury and Economic Development Directorate	Procurement ACT	Minister for Government Services and Procurement	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Infrastructure Finance	Treasurer	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Capital Works	Treasurer	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Tertiary Education, Training and Research	Minister for Higher Education	Education, Employment and Youth Affairs
Chief Minister, Treasury and Economic Development Directorate	Skills Canberra	Minister for Vocational Education and Skills	Education, Employment and Youth Affairs
Chief Minister, Treasury and Economic Development Directorate	Innovation, Trade and Investment	Minister for Trade, Industry and Investment	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	VisitCanberra	Minister for Tourism and Special Events	Economic Development and Tourism

Annual Report (in alphabetical order)	Reporting area	Ministerial Portfolio(s)	Standing Committee
Chief Minister, Treasury and Economic Development Directorate	Sport and Recreation	Minister for Sport and Recreation	Environment and Transport and City Services
Chief Minister, Treasury and Economic Development Directorate	Venues	Treasurer	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Events	Minister for Tourism and Special Events	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Government Accommodation and Property Services	Treasurer	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Community Facilities—including property services and charging policy	Minister for Community Services and Facilities	Economic Development and Tourism
Chief Minister, Treasury and Economic Development Directorate	Arts Engagement	Minister for the Arts and Cultural Events	Economic Development and Tourism
Community Services Directorate	Disability Services	Minister for Disability	Health, Ageing and Community Services
Community Services Directorate	Implementation of the NDIS	Minister for Disability	Health, Ageing and Community Services
Community Services Directorate	Early Intervention Services	Minister for Children, Youth and Families	Health, Ageing and Community Services
Community Services Directorate	Community Participation	Minister for Community Services and Facilities	Health, Ageing and Community Services
Community Services Directorate	Aboriginal and Torres Strait Islander Affairs	Minister for Aboriginal and Torres Strait Islander Affairs	Health, Ageing and Community Services
Community Services Directorate	Multicultural Affairs	Minister for Multicultural Affairs	Health, Ageing and Community Services

Annual Report (in alphabetical order)	Reporting area	Ministerial Portfolio(s)	Standing Committee
Community Services Directorate	Women	Minister for Women	Health, Ageing and Community Services
Community Services Directorate	Veterans and Seniors	Minister for Seniors and Veterans	Health, Ageing and Community Services
Community Services Directorate	Youth Engagement	Minister for Children, Youth and Families	Health, Ageing and Community Services
Community Services Directorate	Child and Youth Protection Services	Minister for Children, Youth and Families	Health, Ageing and Community Services
Community Services Directorate	Service Design, Policy and Accountability	Minister for Community Services and Facilities	Health, Ageing and Community Services
Community Services Directorate	Child Development Services	Minister for Children, Youth and Families	Health, Ageing and Community Services
Community Services Directorate	Human Services Regulation—matters pertaining to disability	Minister for Disability	Health, Ageing and Community Services
Community Services Directorate	Human Services Regulation—matters pertaining to children, youth and families	Minister for Children, Youth and Families	Health, Ageing and Community Services
Community Services Directorate	Housing ACT	Minister for Housing and Suburban Development	Health, Ageing and Community Services
Community Services Directorate	Family Safety Co-ordinator-General	Minister for the Prevention of Domestic and Family Violence	Health, Ageing and Community Services
Cultural Facilities Corporation		Minister for the Arts and Cultural Events	Economic Development and Tourism
Director of Public Prosecutions		Attorney-General	Justice and Community Safety
Education Directorate	ACT Teacher Quality Institute	Minister for Education and Early Childhood Development	Education, Employment and Youth Affairs
Education Directorate	ACT Board of Senior Secondary Studies	Minister for Education and Early Childhood Development	Education, Employment and Youth Affairs

Annual Report (in alphabetical order)	Reporting area	Ministerial Portfolio(s)	Standing Committee
Education Directorate	Early Childhood Education and Care	Minister for Education and Early Childhood Development	Education, Employment and Youth Affairs
Education Directorate	Public School Education	Minister for Education and Early Childhood Development	Education, Employment and Youth Affairs
Education Directorate	Non-Government School Education	Minister for Education and Early Childhood Development	Education, Employment and Youth Affairs
Environment, Planning and Sustainable Development Directorate	Conservator of Flora and Fauna	Minister for the Environment and Heritage	Environment and Transport and City Services
Environment, Planning and Sustainable Development Directorate	ACT Heritage Council	Minister for the Environment and Heritage	Environment and Transport and City Services
Environment, Planning and Sustainable Development Directorate	Planning	Minister for Planning and Land Management	Planning and Urban Renewal
Environment, Planning and Sustainable Development Directorate	Heritage	Minister for the Environment and Heritage	Environment and Transport and City Services
Environment, Planning and Sustainable Development Directorate	Environment	Minister for the Environment and Heritage	Environment and Transport and City Services
Environment, Planning and Sustainable Development Directorate	Climate Change and Sustainability	Minister for Climate Change and Sustainability	Environment and Transport and City Services
Environment, Planning and Sustainable Development Directorate	Loose Fill Asbestos Insulation Eradication Scheme	Minister for Employment and Workplace Safety	Planning and Urban Renewal

Annual Report (in alphabetical order)	Reporting area	Ministerial Portfolio(s)	Standing Committee
Environment, Planning and Sustainable Development Directorate	City Renewal Authority	Chief Minister	Planning and Urban Renewal
Environment, Planning and Sustainable Development Directorate	Suburban Land Agency	Minister for Housing and Suburban Land Development	Planning and Urban Renewal
Environment, Planning and Sustainable Development Directorate	Suburban Land Agency—relating to urban renewal sites including Kingston Arts Precinct and Canberra Brickworks	Minister for Urban Renewal	Planning and Urban Renewal
Environment, Planning and Sustainable Development Directorate	Public Housing Renewal Taskforce and Affordable Housing	Minister for Housing and Suburban Development	Planning and Urban Renewal
Environment, Planning and Sustainable Development Directorate	Land Release Policy	Minister for Planning and Land Management	Planning and Urban Renewal
Environment, Planning and Sustainable Development Directorate	Urban Renewal	Minister for Urban Renewal	Planning and Urban Renewal
Health Directorate	ACT Care Coordinator	Minister for Health and Wellbeing	Health, Ageing and Community Services
Health Directorate	Calvary Health Care Ltd	Minister for Health and Wellbeing	Health, Ageing and Community Services
Health Directorate	Chief Psychiatrist	Minister for Mental Health	Health, Ageing and Community Services
Health Directorate	Human Research Ethics Committee	Minister for Health and Wellbeing	Health, Ageing and Community Services
Health Directorate	Radiation Council	Minister for Health and Wellbeing	Health, Ageing and Community Services
Health Directorate	ACT Local Hospital Network	Minister for Health and Wellbeing	Health, Ageing and Community Services

Annual Report (in alphabetical order)	Reporting area	Ministerial Portfolio(s)	Standing Committee
Health Directorate	Health	Minister for Health and Wellbeing	Health, Ageing and Community Services
Health Directorate	Mental Health	Minister for Mental Health	Health, Ageing and Community Services
Health Directorate	Justice Health	Minister for Corrections and Justice Health	Health, Ageing and Community Services
Icon Water Limited		Treasurer	Public Accounts
Independent Competition and Regulatory Commission		Treasurer	Public Accounts
Inspector of Correctional Services		Minister for Corrections and Justice Health	Justice and Community Safety
Justice and Community Safety Directorate	Sentence Administration Board of the ACT	Minister for Corrections and Justice Health	Justice and Community Safety
Justice and Community Safety Directorate	Justice Services	Attorney-General	Justice and Community Safety
Justice and Community Safety Directorate	Justice Services (incl. Consumer Affairs and Road Safety)	Minister for Justice, Consumer Affairs and Road Safety	Justice and Community Safety
Justice and Community Safety Directorate	Protection of Rights	Minister for Justice, Consumer Affairs and Road Safety	Justice and Community Safety
Justice and Community Safety Directorate	Corrective Services	Minister for Corrections and Justice Health	Justice and Community Safety
Justice and Community Safety Directorate	Courts and Tribunals	Attorney-General	Justice and Community Safety
Justice and Community Safety Directorate	Emergency Services	Minister for Police and Emergency Services	Justice and Community Safety
Legal Aid Commission (ACT)		Attorney-General	Justice and Community Safety
Office of the Commissioner for Sustainability and the Environment		Minister for Climate Change and Sustainability	Environment and Transport and City Services

Annual Report (in alphabetical order)	Reporting area	Ministerial Portfolio(s)	Standing Committee
Office of the Legislative Assembly		Speaker of the Legislative Assembly for the ACT	Public Accounts
Public Trustee and Guardian		Attorney-General	Justice and Community Safety
Transport Canberra and City Services Directorate	ACT Public Cemeteries Authority	Minister for City Services	Environment and Transport and City Services
Transport Canberra and City Services Directorate	ACT Veterinary Surgeons Board	Minister for City Services	Environment and Transport and City Services
Transport Canberra and City Services Directorate	Animal Welfare Authority	Minister for City Services	Environment and Transport and City Services
Transport Canberra and City Services Directorate	Transport Canberra	Minister for Transport	Environment and Transport and City Services
Transport Canberra and City Services Directorate	City Services	Minister for City Services	Environment and Transport and City Services
Transport Canberra and City Services Directorate	Sports grounds	Minister for Sport and Recreation	Environment and Transport and City Services
Transport Canberra and City Services Directorate	Roads and Infrastructure	Minister for Roads	Environment and Transport and City Services
University of Canberra		Minister for Higher Education	Education, Employment and Youth Affairs

Order of the day—discharge

Motion (by **Mrs Dunne**) agreed to:

That order of the day No 1, Assembly business, relating to a proposed inquiry into the delivery of high quality maternity services by the Standing Committee on Health, Ageing and Community Services, be discharged from the *Notice Paper*.

Administration and Procedure—Standing Committee Report 8

MS J BURCH (Brindabella) (11.21): I present the following paper:

Administration and Procedure—Standing Committee—Report 8—*Review of the standing orders and continuing resolutions of the Legislative Assembly* (2 volumes), undated, together with a copy of the extracts of the relevant minutes of proceedings.

MR WALL (Brindabella) (11.21): I seek leave to move a motion in relation to the committee's report.

Leave granted.

MR WALL: I move:

That (a) Recommendations 1 and 2 be adopted to commence on 1 January 2019, and (b) Recommendations 3 to 12 be noted.

I will keep my comments very brief, noting that I believe the view of members is that having the report tabled today is the first opportunity for the Assembly as a whole to view the recommendations and the recommended changes to standing orders that were conducted by the admin and procedure committee. I think the intention of the Assembly, at this stage, is that this be listed in November for further consideration and debate, and hopefully then some adoption.

The inquiry was fairly wide ranging, and I think is probably one of the most comprehensive reviews of the standing orders of the Assembly that has happened in contemporary times. The admin and procedure committee received a variety of submissions from various party groupings, a government submission, as well as submissions from former members and special advisers to the Assembly to inform the deliberation process.

I express particular thanks for what was a fairly rigorous and at times complicated process where there were various recommendations on the same standing order and not all of them were necessarily calling for the same thing. The chamber support, I think, went over and above its duty, particularly the role that Janice Rafferty had in preparing the reports and providing the members of the admin and procedure committee with a comprehensive and easy to understand guide as to what was being proposed on various standing orders.

I hope that members enjoy reading the report and that we can get some agreement and get this through in the shortest possible time. I know it has been a bugbear of Speakers, who have wanted to see this work completed in a timely fashion, and hopefully we can get it through in the next period of sitting. Admin and procedure is one of those unusual committees where we look at things more in view of what is best for the Assembly, not what favours a government or an opposition or any particular interest group. Hopefully, we can agree on most of this in the coming sittings.

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

MADAM SPEAKER: Thank you, members of admin and procedure, for getting through the review of standing orders.

Planning and Urban Renewal—Standing Committee Report 6

MS LE COUTEUR (Murrumbidgee) (11.24): I present the following report:

Planning and Urban Renewal—Standing Committee—Report 6—*Draft Variation to the Territory Plan No 345 Mawson Group Centre: Zone Changes and Amendments to the Mawson Precinct Map and Code*, dated 17 October 2018, together with a copy of the extracts of the relevant minutes of proceedings.

I move:

That the report be noted.

Today the planning and urban renewal committee is tabling its sixth report to the Ninth Assembly. This is into Mawson. It was referred to us on 15 May, pursuant to section 73 of the Planning and Development Act, which means that all Territory Plan variations are automatically referred to the planning and urban renewal committee. We decided this was worthy of investigation. We held one public hearing. We heard from seven witnesses, including members of the community, business owners, the minister and officials. We had a total of 29 submissions, which covered a large range of issues.

We have 12 recommendations. I will not read them all out but will group them for ease of comprehension. Recommendation 1 is that, subject to our recommendations, the draft variation be approved. Our next two recommendations are standing recommendations that basically say the ACT government needs to finalise the development of a draft Territory Plan variation as soon as possible following the completion of the relevant master plan.

There has been a gap of years in the case of Mawson, and this makes for very poor consultation. The community express their views and then the whole thing seems to disappear and reappear in a few years. This is very poor, and the government could and should do better. We also thought the government could finalise the development of master plans in a more timely fashion.

The next issue we considered was solar access, and we had three recommendations about that: recommendations 4, 5 and 6. I think you could say this is a recurring theme.

I should have said at the beginning that these comments on the recommendations are the comments of Caroline Le Couteur MLA rather than Caroline Le Couteur, chair of this planning committee. I forgot to make that editorial comment.

As in other places, the community is very concerned to maintain solar access. The committee as a whole felt that, while the government went some way in that direction in the draft Territory Plan variation, we should listen to the community and go further.

We also listened to the community and went further than the government's original ideas on parking. Given that one of the chief attractions of Mawson—I know this sounds not that wonderful—is that the parking is fairly easy compared to some of the alternative shopping destinations, it was very clear from the business owners that any change in that would be problematic for Mawson. The government is clearly looking at a potential second supermarket, and we could see the purpose of this. We also saw quite clearly the reasoning behind the government's ideas as to where the second supermarket should possibly be on block 6, section 57.

We also thought green space was very good. We seconded the community's suggestions for creating a new courtyard at the southern end of block 17. For those of you who know Mawson, it is around the bit of the car park where there is the Subway and the little bus shelter. We also thought it would be very good if, in fact, the draft Territory Plan included the walking and cycling network.

Now moving back to me as committee chair, I thank everybody concerned with this: the directorate officials, interested organisations and, very importantly, members of the community. I also, of course, thank my fellow committee members, who, at the time that this was done, were Ms Orr, Mr Parton, Ms Cheyne and Mr Milligan. I commend the report to the Assembly.

Question resolved in the affirmative.

Statement by chair

MS LE COUTEUR (Murrumbidgee) (11.30): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning and Urban Renewal. At a private meeting on 14 March 2018, the committee resolved to undertake an inquiry into development application processes in the ACT. At that time the committee set a reporting date of the last sitting day in November 2018.

The committee has had a high level of public interest in the inquiry and has received extensive input into the inquiry via the submission process and at subsequent hearings. In light of the breadth of the terms of reference and in order to give the evidence received due consideration, the committee has now resolved that it intends to report before the end of 2019.

Executive members' business—precedence

Ordered that executive members' business be called on.

Government Procurement (Secure Local Jobs) Amendment Bill 2018

Debate resumed from 2 August 2018, on motion by **Ms Stephen-Smith**:

That this bill be agreed to in principle.

MR WALL (Brindabella) (11.31): It will come as no surprise that the opposition will not be supporting the bill before us today. This bill illustrates once again the tale of two cities, the tale of two kinds of businesses, and perpetuates an “us versus them” mentality. On the back of this legislation the ACT can be seen as a place that acknowledges that there are two kinds of tenderers for government work in the ACT—those with union affiliation and those without. And make no mistake, this bill has nothing to do with keeping workers safe but lots to do with union influence and union membership in this town.

We will continue to be at odds with those on the other side of the chamber on the undue influence of unions. They want it; we do not. It is as simple as that. They also need the influence of trade unions. They rely on it to pursue and further their political careers. Those of us on this side of the chamber do not.

What we do agree on is the importance of government work being awarded to those entities that have a proven track record and an ability to deliver work, but that is where the similarity seems to end. The additions brought by this bill to the burdensome procurement process already in place are onerous for business and will do nothing—I reiterate, nothing—to improve safety on worksites or bring any more rigour to the existing procurement guidelines.

As the Canberra Business Chamber stated during the inquiry held into this legislation, the legislation will not produce the desired procurement objectives. The chamber also said that to “introduce further regulation and administrative requirements on local business appears counterproductive and unnecessary, and may only serve as a disincentive to our critical and economically important SMEs tendering on such works”. The bill is part of the very public agenda of the Labor-Greens coalition government and the union movement that backs them. I have said it before and I will say it again: this bill ultimately legislates for trade union involvement in all government procurement. It legislates Labor’s dirty little secret—the MOU—into law. This will infiltrate all industries and all workplaces in the ACT if we allow it to progress.

The reaction from industry peak bodies, including the Canberra Business Chamber, HIA and MBA, has all been well documented, particularly following the inquiry into the bill by the Standing Committee on Economic Development and Tourism. Overwhelmingly the reaction from these peak bodies is that they feel the concerns from industry have not been taken into account and that the details, particularly around the implementation of this legislation, prove that little, if any, of their feedback has been taken on board. In fact, they believe they have been ignored completely.

Worse still, businesses are fearful of publicly speaking out because of recrimination. This is not perception; this is the reality. In a small town such as Canberra, those who seek to voice their objections or their concerns to this long-entrenched government often pay the financial price. This bill does not fulfil any objective other than to strip away businesses’ autonomy and grant trade unions a free kick. Not to take into account any consideration of the impacts on business is a damning oversight.

I foreshadow amendments that have been circulated in my name. I note that they are small and minor changes that do nothing more than provide a modest amount of time for local industry to prepare for the inevitable changes that will come about as a result of the passage of this bill. I understand that the numbers in this place do not support my view on this legislation or that of the opposition.

Without the amendments that we will be proposing—which are to delay the implementation of the scheme by six months—close to 1,300 businesses that have from time to time tendered for construction work in the ACT will have very little time to get the required certification in order for them to tender for government work come 1 January.

Bearing in mind that it is already late October and that the government, on the passage of this legislation, will first need to appoint a registrar then establish an application process for entities to seek their registration certificates for the application process to progress, I would suggest that the government in this instance is probably being a little overambitious to suggest that all those registrations would be capable of being completed in order for government tenders to close in January. It is my view that preparation time is also required by government. As I have stated, a large amount of work needs to be done in this space and there is not a lot of time to do it.

I note the MBA have written to members of this place outlining their concerns about the steps that need to be taken by government prior to commencement of this legislation. They, too, have highlighted the appointment of the secure local jobs registrar. The subsequent appointment of auditors by the registrar will take time, bearing in mind that local businesses need to undertake an audit and make an application for a secure local jobs code certificate prior to tendering for any work. As we all know, leading into Christmas things tend to slow in this town. It is prudent and sensible to allow adequate time for this work to be done. The current commencement date is unrealistic and the opposition firmly believe it needs to be delayed by six months at the very least.

I reiterate my concerns about the legislative conflicts that seem to arise between this bill, should it pass, the commonwealth Fair Work Act and the building codes. These conflicts will put contractors in a difficult position, should they tender for commonwealth work as well as territory work. The ACT government is well aware of this but, as usual, there is only regard for federal laws when it suits this Labor government. That seems very familiar to a certain trade union movement. In fact, the government will no doubt ignore the advice from the commonwealth that has been provided to the minister on these issues and conflicts and will proceed without any regard to the detrimental effects these conflicts could have on local Canberra businesses.

Both the Canberra Business Chamber and the Master Builders Association have raised concerns about the implication of conflicts that will arise between this legislation and the Fair Work Act. The biggest concerns are freedom of association, privacy considerations, induction provisions, and any aspect that gives even more power to the unions, which flies in the face of the intent of the federal codes. It is crucial when

drafting the code for this legislation that the minister ensures that the right to freedom of association and, likewise, the right to non-association is preserved in provisions related to worker induction. This should not be an opportunity for a gratuitous membership drive on behalf of trade unions.

As I have said, this bill illustrates the ideological divide in this parliament and in this city that exists in the industrial relations space. On this side of the chamber we maintain that it will not provide any outcome other than to formalise trade union influence in the government procurement process. We know that the passage of this bill is a *fait accompli*. However, we will be watching to see how the code itself is drafted and implemented as a disallowable instrument, who the registrar will be and how the implementation of the legislation proceeds. We will be watching closely. Most importantly, we will be monitoring the impacts on local Canberra businesses and the local economy.

It is also worth noting that the inquiry by the economic development committee into this legislation had a number of trade unions appearing. They all had a fairly consistent message: that organisations and businesses that do the right thing and abide by the law will have nothing to worry about. I find that quite rich, coming from some witnesses who appeared before the committee who have frequently been held on charges or sanctioned for breaches. The CFMEU continues to be the worst corporate offender in this country.

Likewise, individuals who made those claims are dealing with some very, very serious charges against them in the court system. I will not go into the detail of those, but there is a great deal of irony that those who want these laws are often the ones who break the laws. It is a bit rich. As I stated in my opening remarks, the opposition will not be supporting the bill at the in-principle stage, but we will seek to make some amendments at the appropriate juncture.

MR RATTENBURY (Kurrajong) (11.41): The ACT Greens are pleased to support this bill. I say at the outset that the Greens support fair and safe conditions for ACT workers. We support the government being an exemplary contractor and procurer when it comes to working conditions. The intention of the bill is to ensure that ACT government contracts are awarded to businesses that meet the highest ethical and labour standards. That is a good goal and the Greens entirely agree with it.

The Greens have a history in this place of pushing government to adopt the highest ethical and labour standards. One example is the extensive process that the government has gone through to advance ethical investment, an issue that the Greens have pursued over many years. Similarly, our parliamentary agreements with the Labor Party over a period of 10 years now have progressed standards for workers, ensured additional investment in workplace inspectors and supported an improved certification process for construction projects.

I think the bill before us today sets up workable architecture for achieving this goal of ensuring that government contracts are awarded to businesses that meet the highest ethical and labour standards. It sets up a framework for, in the near future, the adoption of the secure local jobs code, which will provide more key detail to make the

scheme operate. Of course, that code will also come before the Assembly and we will be able to scrutinise it, but there has been a draft out for consultation for several months now.

The details of this bill have been laid out well already, including in the recent committee report, so I will not go into them in great detail now. I simply note that, broadly, the bill requires ACT government entities to award contracts only to tenderers that hold a secure local jobs code certificate and, for contracts above \$25,000, also have a suitable labour relations training and workplace equity plan. The secure local jobs code certificate requires the entity to agree to the secure local jobs code, which is currently under development. It will require various workplace standards to be followed in areas such as collective bargaining, health and safety, human rights, training and workers compensation.

I agree with the application of the bill to government procurement in the areas of construction, building or industrial cleaning services, and security. Ultimately, I expect it will extend to further labour contracts. But, as audits by WorkSafe have revealed, these initial sectors are the ones where there is a heightened risk of non-compliance with labour standards.

I note the arguments raised by the Liberal Party in opposition to this bill. I do not find them to be cogent arguments. I will discuss some of them in a moment. One also cannot ignore the fact that the Liberal Party always inevitably oppose this type of legislation. For the 10 years I have been in this Assembly, every step of the way, from the harmonised work health and safety laws to the provision of portable long service leave to insecure workers, they have continued to oppose legislation designed to improve workers safety or conditions.

Workers conditions and safety inevitably also seem to become politicised. In the context of this bill, Liberal members have again been talking about a union veto power, which does not exist. It does not matter how many times that suggestion is debunked. The Liberal Party will continue to say it. It is part of a broader political narrative even though it is, in fact, fictional. Union veto did not exist in the procurement MOU and it does not exist in the secure local jobs bill.

Mr Hanson made another suggestion that the legislation should specifically exclude from the board people with a criminal record. I agree with the government that the legislation does not need to do that. Other legislative board appointment processes do not say someone is excluded because of a criminal record. It is not necessary or appropriate to do that, because a person's criminal record may be completely irrelevant to the inherent requirements of the job. In fact, we have a Discrimination Act that makes it unlawful to discriminate on the basis of an irrelevant criminal record.

There is plenty of employee guidance material about this produced by the Human Rights Commission and others that describes the potential for discrimination based on an irrelevant criminal record and how it is inappropriate to make assumptions about people or limit their employment opportunities based on this fact.

I think what the Liberal Party are actually trying to do with this suggestion, which they do not bring up in relation to other advisory board processes, is continue a favourite implication that members of unions are criminals. There is a pretty constant effort to attack unions in this fashion, and we do hear it a lot from Mr Wall and Mr Hanson in particular. I do not see any reason why this legislation should specifically talk about potential criminal convictions when other appointment processes do not and, in fact, it is probably discriminatory to do so.

I will speak briefly to the amendments as part of my comments now. We will not be supporting Mr Wall's amendments, which would delay the commencement date of the legislation by six months. I do not believe that is necessary. I have discussed this matter with the minister and she has assured me that all the necessary processes will be in place by 14 January, including an appointed registrar.

The 1,300 contractors mentioned by the MBA do not all need to be certified at once. They will gradually come through the process as contracts arise. It is also expected that the registrar will determine whether the existing certification of contractors is compliant without any further actions needed. In addition, only tenders open after the start date of 15 January will be subject to the certification process. On that basis, we do not believe there is a need for a six-month delay until the middle of 2019.

I am assured that the government can have everything in place by the early January date and it is reasonable for tenderers to start complying with the new process. I would like to see the new government contracts complying with the best ethical and labour standards as soon as possible. I think that this date provides reasonable time by which to achieve that.

In terms of the government amendments, we do support the minor amendments proposed by Minister Stephen-Smith. These are minor and sensible changes. One of them clarifies who the certification obligations apply to by clearing up that they do not apply to certain professions that are technically engaged in the construction sector—for example, an architect. They also make some other minor clarifying amendments related to the Legislation Act and the definition of procurement and procurement process.

To conclude, we support this bill. I have made my observations on the amendments so will not need to speak again later. We look forward to seeing this new scheme progress.

MS ORR (Yerrabi) (11.48): I am pleased to speak in support of the Government Procurement (Secure Local Jobs) Amendment Bill 2018. We often talk about how we can best ensure that our workers are working for employers who take their ethical and labour relations obligations seriously. Through this bill, our government will be able to influence the ethical and labour relations standards of those businesses with whom the territory chooses to spend taxpayers' money for procuring services or works.

As clause 22G of the bill states, the new requirements will apply to the whole procurement process. Specifically, they apply to the pre-contract phases of

procurement, from the tender design, issue and assessment, as well as ensuring that the requirements apply to the contract phase of procurement.

Under the bill, any procurements that fall within the definition of territory-funded work would be required to hold a secure local jobs code certificate and, in the case of procurements over \$25,000, submit a labour relations training and workplace equity plan. This will ensure that the new obligations create a level playing field for all businesses that choose to be a party to procurements offered by the territory. It will enshrine in legislation the standards that the government expects from employers that it does business with.

The bill will apply to territory-funded work that, from the commencement date, is to be defined as capturing four identified contract types. These are construction work, building or other industrial cleaning services, traffic control services and security services. These industries have been identified as key industries where there is a need to do more to support safe and fair workplaces.

Members of the Assembly might wish to note that in 2015-16 the cleaning industry was the third highest sector by matters that were litigated by the Fair Work Ombudsman, accounting for 14 per cent of the total litigation actions commenced by the Fair Work Ombudsman. The construction, cleaning and security industries have also been consistently identified as industries where insecure working arrangements and non-compliance with workplace standards, such as fair work obligations and work health and safety, are prevalent.

Members of the Assembly will note that the intention is to eventually capture any contract for services or works that is primarily for labour and has an estimated value that is to be prescribed by regulation, initially set to be \$200,000. This is in addition to the four initial industries that are expressly identified as being within the definition of territory-funded work. It should also be noted that the general application of territory-funded work to procurements that are primarily for labour is intended to exclude certain professional services. These services have already been identified in a consultation draft of the Government Procurement (Secure Local Jobs) Amendment Regulation 2018.

Specifically, they include information media and telecommunications services; rental, hiring and real estate services; financial and insurance services; and professional scientific and technical services. These are services that are considered, in a procurement sense, to be ancillary to the provision of services and works that are primarily for labour—for example, engineering, architectural and surveying services.

While it is the intention of this legislation to generally capture procurements that are primarily for labour, it is recognised that a staged approach is necessary. Delaying the commencement of the new obligations in relation to procurements that are primarily for labour will facilitate a transitioned approach. This will ensure that the supporting infrastructure governance and capacity for administering the new requirements can be built up over time, from initial capacity for the first stage through to full capacity by the time the delayed amendment under schedule 1 of the bill commences.

By establishing a transparent and clear statement of the standard of behaviour that is expected by the territory, we can positively affect the workplace environment that our friends and families work in. The bill is a proactive step to provide an economic incentive for businesses to comply with their labour and ethical workplace standards.

It is acknowledged that many of these standards are found in existing legislation, both territory and commonwealth legislation, with their own enforcement infrastructures. However, it is also recognised that we can be proactive and deliberate about saying that, in order to respond to a procurement or a contract with the territory, businesses must be able to demonstrate that they are good employers and treat their workers fairly. This bill enables the territory to have the necessary rigour and robustness to support this objective and to enforce its provisions. It will strengthen the current procurement processes in the territory.

I also wish to highlight that the bill and supporting instruments have undergone extensive consultation. Specifically, the first round of public consultation on the structure of the secure local jobs package was undertaken with the release of a discussion paper and included an eight-week public submission period to March 2018.

Multiple meetings with employee and employer representative groups and forums have been conducted. There has been engagement with the commonwealth and a second round of public consultation on a consultation draft of the secure local jobs code and other supporting instruments, with public submissions sought until September 2018. Further comments have been made in relation to the bill by the Standing Committee on Justice and Community Safety, in its legislative scrutiny role. The Standing Committee on Economic Development and Tourism also commented on and made recommendations in relation to the bill in its recent report No 4.

In all consultative forums there has been broad support for the objectives the government is seeking to achieve through this bill. The more substantive comments have been about the detail or of a technical nature in relation to the supporting instruments, such as the secure local jobs code. I understand that these will be considered and responded to as part of the finalisation of those supported instruments.

It is acknowledged that both territory entities and businesses will need support and additional information, particularly in the lead-up to the commencement of the bill, to ensure that the territory and industry are alert to and understand the new obligations in relation to territory procurements. Indeed, not only will this legislation apply to industry; it will also create obligations on territory entities to ensure that businesses responding to procurements or contracting with the territory hold a secure local jobs certificate and comply with their obligations under that certificate.

The bill sets up the fundamental arrangements for the governance and administration of the new provisions. Specifically, it will provide for how complaints are to be dealt with in relation to businesses that hold a secure local jobs certificate under clause 27Q. It establishes the framework for orders to be undertaken by the registrar, who is appointed under the bill in clause 22R. It will also allow the register to be able to request information from businesses when considering complaints or compliance

actions under clause 22S. This function is critical to ensuring that any compliance action that is taken by the registrar is appropriate and has been substantiated by evidence.

This bill seeks to establish positive links between good employment practices and high quality services being delivered in the territory. It will reward those employers that exemplify good behaviour and provide safe and fair workplaces for their workers. By supporting this bill we are saying that we want to do business with entities that are good employers. I commend the bill to the Assembly.

MR PETTERSSON (Yerrabi) (11.56): In 1891 a group of shearers gathered under a tree in Queensland as part of a general strike, protesting against cuts to pay and conditions in what was one of Australia's largest and wealthiest industries at the time. These shearers took action against unethical behaviour by bosses. In the end, the forces of conservatism won, and the strike was broken. Crucially, however, the spirit of the labour movement lived on. That very next year ordinary workers gathered under that same tree to form the nucleus of the now Australian Labor Party, a party dedicated to workers' rights.

From 1891 to now, the struggle for workers' rights has been fought many times; and despite, the setbacks and always the poisonous opposition to workers' rights by the forces of conservatism, our history has been one of progress. When we started in 1891 there was no sick leave, no annual leave, no eight-hour day, no overtime, no unfair dismissal. I could go on and on.

Of course, not all reforms have been perfect, and we can always do more. But they have all moved us in the right direction. The secure local jobs code moves us in the right direction. It should not be controversial to say that a territory contract should only be awarded to those who treat their workers properly, protect and encourage their rights, and pay them appropriately. Too often we see sham contracting where workers get a pittance and the fat cats in management collect a nice salary for landing a government contract. There is no place in our society for this kind of behaviour, and no-one in this chamber should be defending it.

Companies bidding for contract work over certain thresholds in the ACT will need to hold a secure local jobs code certificate and a labour relations training and workplace equity plan. Is it so revolutionary that we are asking companies that are preparing to take money from the taxpayer to show us that they are going to engage with workers and treat them properly? Companies seeking government contracts should be held to the highest ethical standards.

It honestly shows the absolute depth the opposition has sunk to with its blatant hostility to workers. Workers are entitled to organise, and unions are entitled to enter worksites. These are federal laws, after all. Any company that does not want to treat their workers or their representatives with respect and fairly under the law does not deserve to do work in this territory.

Why is this jobs code so important? Wage theft, sham contracting, phoenix contracts and other dodgy practices are rife across Canberra. Across different industries,

something that workers have in common is that they are at risk of having their wages stolen. These practices are even occurring on ACT government jobs. Two recent audits by the Fair Work Ombudsman found that 40 per cent of businesses in the ACT are not compliant with the Fair Work Act. This year there have been numerous allegations of wage theft on government projects, including the current construction site across from this place. On the light rail project we have seen massive allegations of wage theft against at least 84 workers. It is thanks to the CFMEU that this case has been brought to light. In the cleaning industry, United Voice has found that 60 per cent to 70 per cent of school cleaning contractors are conducting themselves unlawfully and incorrectly paying their employees. This is disgraceful.

It is clear that there are companies in Canberra who do not respect the law and do not respect their workers. At first the jobs code will target industries that we have seen have high levels of exploitation but also industries that undertake government work. This will be in the fields of construction, cleaning, security and traffic management. Taxpayer money should not be going to these unscrupulous businesses, and that is why we need this jobs code.

The opposition and the MBA have spread misinformation about this jobs code. The code will only increase costs for companies if they were previously underpaying their workers. That is a cost I am very happy for companies to be paying. These companies already disobey the law, so our strategy to combat these practices must target the profitability of these companies. Affecting their profit margin will get these companies to start taking the law seriously and pay their workers correctly. They say that this code puts an unnecessary burden on small and family businesses. Well, paying workers correctly is not a burden; it is the bare minimum. If businesses cannot do that, they should not exist.

This jobs code will not just benefit workers who are being ripped off; it will also benefit those employers who are doing the right thing. They will no longer have to compete with dodgy bosses who cut corners for government contracts.

The standards set by the government will also help raise standards in non-government contracts, as workers and clients will have a framework to reference. This will mean that across the territory standards will be lifted. This is a win-win. This will be achieved through the job certificate program. The certification program will test employer compliance with workplace obligations. To tender for government jobs, contractors will have to possess a secure jobs certificate. The certification process would also include more adequate training and inductions on workplace safety and employee rights. The code will make it easier for companies to clearly see their obligation to their work, the government and the wider population. The opposition like to call this red tape, but clear guidelines will make it easier for companies and workers to understand their rights and obligations. This is common sense.

This code will also make it easier for workers to get back their entitlements or stolen wages. Currently, going through the Fair Work Act can take around two years, which can put enormous financial strain on workers and their families. For companies to get government work under this code, they will need to respond to and rectify any

allegations of wage theft. This so-called red tape will make it easier for workers to get their stolen wages back.

This secure jobs code will help make Canberra workers more secure in their workplace. But it is not enough. We need to kick out this anti-worker, anti-union federal government. We need to reinstall penalty rates. We need to abolish the ABCC. We need to change the rules for working people. On Tuesday we saw thousands of working people across the country march in support of making our industrial system fairer. There is immense community support for the ACTU's change the rules campaign.

This secure local jobs code is an element of the broader labour movement's campaign to make Australia a more equitable country. This is in obvious contrast to the Liberals and their mates in big business. The Liberals in this place support companies that rip off Canberrans. They want to make it harder for Canberrans to support themselves and their families. They are only the friends of big business.

Madam Assistant Speaker, the government's secure local jobs code is another step forward for a more ethical and fairer Canberra. Our policy is a continuum of the progressive reforms made through the labour movement since 1891. I would like to thank the minister, the directorate and the unions for their tireless campaign on this issue, in particular the CFMEU and United Voice. This jobs code is supported by the entire labour movement as a promise we took to the 2016 election. It is great that this promise is being fulfilled, and I am proud to support this bill.

MR HANSON (Murrumbidgee) (12.05): I was not going to speak on this because I made some comments when I spoke on the committee report earlier this week, but I notice that I have been brought into the debate by Mr Rattenbury and I would also like to make a couple of comments responding to some of Mr Pettersson's claims.

Referring to the report, what was agreed unanimously by the committee was:

... that the ACT Government continue to pursue procurement outcomes that ensure public money only goes to contractors who have the highest ethical and labour standards.

That was agreed unanimously by the committee. That is agreed, I hope, by everybody in this Assembly. Certainly that was the view of the business groups that appeared before the committee. We want to make sure that it is businesses that have good labour standards and good ethical conduct who are getting contracts with the ACT government. That is what we all agree on.

It is clear that the legislation that is before us and the jobs code that sits under it as a disallowable instrument do not achieve that aim. That is the point here. There is a deliberate attempt by those opposite to suggest that the fact that business groups do not agree with this legislation, and the opposition does not agree with this legislation, somehow suggests that we support unethical conduct. That is ridiculous. That is an inflation of the evidence that has been presented before the committee. It is in

contradiction to the committee report. It is in contradiction to everything that Mr Wall and others have said.

We want to make sure that everybody involved in this process has the highest ethical standards and is not a recidivist law-breaker. That is the point. Unfortunately, this legislation does not do that. It does not create a level playing field. What it does is give a power of veto. They are not my words; they are the words of the MBA and other business groups that appeared before the committee and from public comments that those organisations have made. The reality is that this will give an upper hand to certain union groups in the procurement process. Indeed, it is mandated that three union members be on the local jobs board.

We have heard much from those opposite about ethical conduct, about who does shoddy contracting and about who has poor behaviour when it comes to the law. I agree, and I am sure all of my colleagues agree, that we want to make sure that there is nobody involved in government tenders who has that sort of background, that sort of behaviour. We want to eradicate that. But let me talk about what the Federal Court has found in relation to certain people who would be involved in this process and may indeed be mandated to be on the board by the government. Let me quote:

The Federal Court has slammed the construction union's "disgraceful" and "woeful" record of law-breaking ...

The construction union is the CFMEU. These are quotes from judges from the Federal Court. The quote continues:

Handing down penalties today over the unlawful industrial action by 600 workers, a full court of the federal court found the Construction, Forestry, Mining and Energy Union was a recidivist which continued to "thumb its nose" at industrial laws.

If you simply do a Google search—and I invite you to do so—and you look at "law-breaking", "Federal Court" and "CFMEU", you will find numerous instances where the Federal Court has condemned the actions of the CFMEU and its recidivist law-breaking.

It is important that we make it clear on the record that what we have heard from business groups and the opposition is a unanimous view that we want to make sure that lawlessness is removed from the process, that the breaking of law—industrial laws and any other laws—is not part of this process. We want to clean it up. We want to make sure it is cleaned up.

The problem is that this legislation entrenches the role in the procurement process, and a power of veto, for those who have been found by the Federal Court to be recidivist law-breakers rather than, as is being proclaimed, cleaning up the system. Yes, let us make sure that we have a clean procurement system. Let us make sure that we get rid of the law-breakers. Let us not support a law that actually entrenches the power—indeed, the power of veto—of those who have been found by the Federal Court to be recidivist law-breakers.

MS CODY (Murrumbidgee) (12.11): Wow. This is an excellent bill. The idea that government should use every power it has to uphold the law is just common sense to me. Labour has no tolerance for crooks, thieves, shonks, cons or frauds. The only people who have anything to fear from this bill are bad bosses. I say that in the certainty that the Liberals will not be embarrassed about associating themselves with those against this bill, at least, not in comparison with the embarrassment their friends across the lake cause them.

What wonderful evidence this is of our democracy working. Two and a bit years ago, Mr Barr promised to legislate a procurement code. Just over two years ago, Mr Hanson led the Liberal Party in opposing it. Two years ago, the people of Canberra made their choice and voted for parties in favour of a procurement code. Ms Stephen-Smith has invested the time and the energy consulting the community and interested groups about the detail, a rigorous process.

In February, I introduced a private member's motion on this topic. It passed without opposition. It was a comradely process, I must say. Mr Wall, in that debate, spoke eloquently about his desire to ensure that subcontractors are paid properly, to ensure that local workers are protected from dangerous or unhealthy workplaces, and that we should buy locally. Mrs Dunne has, on many occasions in this place, advocated that government procurement in health should ensure good working conditions. That was very comradely indeed. Yesterday we heard Ms Lee talk passionately about workplace safety and workers' rights in government procurement in education. Comrades all.

This bill does exactly what everyone says we want, so I was a bit surprised when I read the committee report on this bill and heard Mr Hanson's further comments today. Mr Hanson's recommendations seem to represent the same minority that he attracted at the election: big business, the greedy MBA, and the sorts of bosses who prefer not to have their books checked for honesty.

I would like to acknowledge the work of Mr Pettersson and Ms Orr, who were also on the committee. It is quite clear that the committee worked hard to reach consensus, but as has been the case for over a century, the party of the worker has been left to stand up against the party of the bosses.

The Greens deserve credit for standing up for working people, too. Mr Rattenbury today again showed his support for the introduction of this bill and his support for seeing this bill carried through to law.

Finally, I would like to acknowledge the hard work of the many public servants who worked long hours to make the ambitions of the Canberra community for a secure jobs code law a reality.

Having kept an eye on the committee hearings, I can only imagine the bullyboy tactics that the MBA and Chamber of Commerce must have tried out in private consultations. I am glad to see that the workers won out.

My last comments are to all those workers who have given evidence, signed petitions and campaigned so hard to make sure that a secure local jobs code is brought to fruition. I thank them for their ongoing support and work in this area. Congratulations to everyone who has been part of making this law. I look forward to seeing it implemented.

MR GENTLEMAN (Brindabella—Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (12.16): I do want to rise to thank Ms Rachel Stephen-Smith for the work that she has done on this code. It is very important work for the future of Canberrans in the workplace to provide security, to provide safety for workers across the ACT as we look at procuring jobs across the territory. I want to thank all those who have put their efforts into making comments on the bill, and I also want to acknowledge our workers and their representatives in the gallery today. It is great to see you here today.

I am a very proud unionist. I joined my first union in 1973. I have been a continuous unionist since then. The influence came from my father and his union. He was a PMG technician. His union was the APTU. My first, I think, experience with them was as a young boy at Christmas time. We were not a very wealthy family. We could not afford a lot. The union would put on a Christmas party at Casuarina Sands here in the ACT. Young children who normally could not afford to attend events such as this were provided with food, drink and ice creams all day, and we had a great deal of fun during the time, and at the end of the day we were provided with gifts, gifts that our parents could probably never afford. I still have one. It is a Tasco microscope. I still have it in the box. I will never forget that gift that my parents could probably never have afforded that day, and that was my first, I think, influence of how the union movement helps each other in times of good and bad.

So I am very pleased to see that we are looking after workers across the territory with this code, and I congratulate all those that have been involved in ensuring that it comes through.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Disability, Minister for Children, Youth and Families, Minister for Employment and Workplace Safety, Minister for Government Services and Procurement, Minister for Urban Renewal) (12.18), in reply: Mr Wall started his contribution by noting that there are two types of businesses, and I could equally do the same. Yes, there are those businesses that uphold workers' rights, who pay their workers fairly and secure their entitlements and ensure high standards of workplace health and safety. And there are those who do not. We want to ensure that the ACT government is only contracting with businesses in the first category. That is what this bill is all about.

I should also respond briefly to Mr Wall and Mr Hanson, maybe by reiterating what Mr Rattenbury said. They have said that they will keep saying that this bill will legislate the MOU and the union right of veto. But, as Mr Rattenbury said, just

because you keep saying something, and just because other people keep saying something, does not make it true.

What this bill does is establish a clear and transparent structure and arrangements to ensure that the ACT government does contract only with businesses and entities that meet the highest ethical and labour standards. That is exactly what businesses have been saying they want us to do: to have a clear and transparent regime to meet the objective and the outcome that we all share. It was clear that pretty much everyone who submitted to the inquiry shared the objective that the ACT government should only contract with businesses that meet the highest ethical and labour standards. That is exactly what the ACT government is committed to do: to ensure that workers are safe at work, treated fairly and have their rights upheld. We want to do business with companies that share these values.

This bill will apply these values in a practical, transparent and equitable manner, will embed them in a legal framework featuring formal and public means of recourse and, in doing so, increase the community confidence in government procurement processes. The bill reflects the government's willingness to use both the regulatory and market tools available to it to achieve our workplace relations objectives and our ambition to be an exemplar when it comes to ethical procurement.

The bill is an integral component of the government's secure local jobs package of reforms which are designed to comprehensively engage the government's significant market and purchasing powers to encourage employers to understand and comply with their workplace relations obligations and adopt exemplary ethical and labour standards. The secure local jobs package will establish an independent audit regime that will actively investigate, verify and certify employers as being compliant with the full range of workplace relations obligations.

This will provide additional assurance to government that all entities tendering for contracts that are covered by the new arrangements understand and comply with their workplace relations obligations. In addition, it will assist businesses, particularly those of small or medium size and which are new to the territory, to fully understand and engage with their legal obligations.

The secure local jobs reforms enabled by this bill will also introduce an additional tender assessment criteria, the labour relations training and workplace equity plan, for contracts above a specified value, as others have discussed. This will provide a competitive advantage in the tender assessment process for employers that uphold high workplace relations standards. It would, for example, allow employers to demonstrate whether and how they would minimise insecure work arrangements and whether they will offer training and career development opportunities for their staff.

The package will establish robust and transparent legal and governance frameworks for managing the new arrangements. This will include the appointment of a secure local jobs registrar with investigation and compliance powers to manage the secure local jobs certification scheme. The registrar will be able to receive and investigate complaints from anyone who reasonably believes that a business that has a certificate is not complying with the code.

The bill itself will support and enable the secure local jobs package of reforms by clearly defining the types of contract that would be subject to the new arrangements and establishing a secure local jobs certification scheme. It will also set new rules for the procurement and management of government contracts, as I have said, including the labour relations training and workplace equity plan.

Government infrastructure to manage the secure local jobs arrangements, including complaint handling, investigation and appeal mechanisms, is also established under the proposed amendments. These will be supported by a ministerial advisory council established by the bill. The secure local jobs advisory council will have responsibility for reviewing the implementation of the overall package and advising on the operation of measures under the package.

The bill will allow for the making of the secure local jobs code. A consultation draft code has been the subject of extensive consultation. The code will complement the bill by setting out the new obligations, apply to tenderers and contractors and provide operational details about how to obtain a secure local jobs certificate.

Members would be aware that the bill, as others have mentioned, was the subject of a committee inquiry. I would like to again thank the Standing Committee on Economic Development and Tourism for its careful consideration of the bill and for its agreed recommendations, all of which have been either agreed to or agreed to in principle.

I would also like to again take the opportunity to thank those who made submissions and appeared before the committee, and in particular those who are represented here today: United Voice and the workers who took time out of their own time to come and present evidence before the committee.

In the period since the committee commenced its review the government had the opportunity also to consult closely with industry groups, trade unions and other stakeholders about how the new arrangements would operate in practice. In the course of this consultation we identified three improvements of a technical nature. One was proposed by the scrutiny committee. These are addressed by the government amendments that have been circulated.

These amendments are, firstly, replacement of the term “procurement proposal”, which is used at various points in the bill to describe the process of tender design, issue and assessment, with the term “procurement”. This change is necessary due to the fact that the term “procurement proposal” is used more narrowly elsewhere in the Government Procurement Act to describe the pre-tender assessment stages of a procurement process. Replacing these references with the broader term “procurement” addresses this and will allow the bill to be implemented as intended while avoiding confusion arising from any inconsistency of language.

The second amendment is also of a technical nature and is necessary to ensure that the bill operates as planned. The new arrangements are not intended to apply to contracts for certain professional services. These excluded professional services were identified during a comprehensive consultation process and are described in the draft

Government Procurement (Secure Local Jobs) Amendment Regulation 2018. They include engineering, architectural and surveying services.

As Ms Orr noted in her speech, industry consultation has identified that professional services of this nature may unintentionally be made subject to the new arrangements if they are provided in support of a construction contract. The government amendment addresses this by amending the definition of “construction” so that it explicitly excludes those classes of professional service currently listed in the draft regulation.

The third minor and technical amendment removes an unnecessary reference to the Legislation Act in relation to the notification of ANSZIC.

In addition to the members of the committee on economic development and the individuals and organisations who have been involved in the development of the bill, I would like to acknowledge the extensive consultation with stakeholders and to state, contrary to the comments of those opposite, that all input has been carefully considered by the government. This includes both employer and employee representatives, and I acknowledge the tireless efforts of all of those organisations, particularly the union movement, in representing the interests of their members.

As I said at the beginning, submissions to the committee inquiry were generally supportive of the government’s intention to direct its business to companies that comply with their legal responsibilities and look after the welfare of their workers.

Members may be aware that some concerns were raised about possible duplication of legal obligations, and there was a concern that difficulties may be experienced by contractors who are subject to both ACT government requirements and the commonwealth government’s code for the tendering and performance of building work. This was a matter raised by Mr Wall.

The government does not seek to disqualify contractors from competing for territory-funded work due to the fact that the current commonwealth procurement laws may operate differently from the ACT’s, and it is for this reason that the bill does include a provision that allows the registrar to exempt contractors from any aspect of the secure local jobs requirement that would put a contractor in conflict with a commonwealth law in force in the territory. I acknowledge, as Mr Wall has said, that we have received some advice from the commonwealth and we are of course considering that advice.

In respect of concerns that requiring compliance with existing workplace relation laws will result in duplication and unnecessary complexity for employers, it is important to clarify that the bill will establish a regime to assist the territory to actively verify that its own tenderers and contractors, those that it chooses to engage with, comply with workplace obligations. This is desirable from a social perspective and it is appropriate for due diligence purposes. Enshrining the system in legislation provides transparency and appeal rights which have been welcomed by industry submissions.

Too often we have seen employers exploiting their workers and avoiding their responsibilities. This is not just unfair to workers, it is unfair to other businesses that

do the right thing. The community expects that employers abide by the law and treat their employees well and that their tax dollars go to employers that meet the highest standards. The reforms enabled by this bill respond to these expectations.

The use of procurement measures by governments to support workplace relations or social policy agendas is not a new phenomenon. On the contrary, some members may be surprised to learn that attempts by governments to connect workplace relations and procurement have been documented in 19th century England, the United States and France. As one example, in 1840 US President Martin van Buren ordered the establishment of a 10-hour working day for people operating under certain government contracts. Fortunately, as Mr Pettersson outlined, workplace relation standards have progressed significantly since the 10-hour working day, and this government has undertaken to deliver further improvements and protections for the people of Canberra.

Before I close, I do want to just reiterate something that I think Mr Rattenbury made clear in relation to Mr Wall's circulated amendment. Mr Wall again implied, as the MBA does, that all 1,300 current IRE holders would need to be recertified under the secure local jobs code by 15 January. This is simply not the case. Businesses and other organisations will only need to be certified if they are submitting a tender for work where the procurement commences on or after 15 January.

I can assure Mr Wall that we are working through the various actions and instruments that will be required to support the implementation of the secure local jobs package, and I have every confidence that the time frame can be met. I commend the bill to the Assembly.

Question put:

That this bill be agreed to in principle.

The Assembly voted—

Ayes 11

Noes 8

Ms Berry	Mr Pettersson	Miss C Burch	Mr Parton
Ms J Burch	Mr Ramsay	Mr Coe	Mr Wall
Ms Cody	Mr Rattenbury	Mr Hanson	
Mr Gentleman	Mr Steel	Mrs Kikkert	
Ms Le Couteur	Ms Stephen-Smith	Ms Lawder	
Ms Orr		Ms Lee	

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MR WALL (Brindabella) (12.34), by leave: I move amendments Nos 1 and 2 circulated in my name together [*see schedule 1 at page 4312*].

The amendments, as I articulated in the speech, seek to delay the introduction of the scheme. Whilst the opposition does not agree with the intent of the secure local jobs code, we are also realists and realise that there is a significant amount of work to be done in the months between here and 15 January—the appointment of a registrar, the regulatory framework and then also the issuing of secure local jobs certificates to businesses—and we anticipate that there will be significant difficulty, both on the government’s side and on industry’s side, in seeking to do this.

Amendments negatived.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Disability, Minister for Children, Youth and Families, Minister for Employment and Workplace Safety, Minister for Government Services and Procurement, Minister for Urban Renewal) (12.35), by leave: I move amendments Nos 1 to 25 circulated in my name together [*see schedule 2 at page 4312*]. I table a supplementary explanatory statement to the amendments.

Amendments agreed to.

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

Bill, as amended, agreed to.

Sitting suspended from 12.36 to 2.30 pm.

Questions without notice

Roads—Gundaroo Drive

MR COE: My question is to the Minister for Roads. Minister, stage 1 of the Gundaroo Drive duplication was due to be completed by June this year. It is now October and it does not seem likely that the road is going to be completed any time soon. The *Canberra Times* on Wednesday, 24 October reported that last month auditors had been called in regarding the project. Minister, under the contract, is the contractor or the government—as the principal—responsible for the delays and the variations to the contract?

MR STEEL: I thank the opposition leader for his interest in our government’s \$121 million of upgrades to Gungahlin roads, including Gundaroo stage 1, which is a very important road project.

Certainly I acknowledge that there will be some disruptions for residents while this road project is completed. Of course, this is a very important road project. We have already seen very significant milestones this week, with the signalised intersection being switched on, which, I hear from my local Yerrabi members in this chamber, has already made a difference to road movements throughout the area.

However, we acknowledge that there has been some delay. That has resulted from the movement of, generally, gas infrastructure on the road. We have, unprompted, decided to conduct an audit into that, to learn about what we can do around governance, processes and planning for future road projects.

MR COE: Minister, under the contract is it the contractor or the government who is responsible for the delays? Who is actually bearing the risk of the cost blow-outs? Have all variations been agreed upon by the government?

MR STEEL: I thank the opposition leader for his question. At this stage there is no reason to believe that there will be a cost blow-out in relation to Gundaroo Drive stage 1. That was made very clear in the *Canberra Times* article.

As I mentioned in my previous answer, some of the delays have been caused as a result of delays associated with the changes to the Jemena gas infrastructure which did take longer than anticipated. Those risks have already been stated. But of course our government also committed at the last election, as a result of feedback from the community, to install a signalised intersection at the corner of Mirrabai Drive and Gundaroo Drive as well as adding an additional lane on Mirrabai Drive, which is already making a difference this week to road congestion in the area.

Mr Coe: On a point of order on relevance, the second part of my supplementary was: have all the variations been agreed to? To this point the minister has not addressed it.

MADAM SPEAKER: You have time left, minister. Do you have anything to add?

MR STEEL: I just mentioned that the government made a variation to that project as a result of our commitment at the election to install a signalised intersection on Mirrabai Drive.

MS LAWDER: Minister, when will the auditor's report be given to the government? Will the government make the report public?

MR STEEL: I thank the member for her supplementary. As I mentioned, we have, unprompted, undertaken this audit. I look forward to receiving it before the end of the year. Of course, we will learn from that audit what improvements we can make to future projects and future procurement around roads.

Community councils—insurance

MS LE COUTEUR: My question is to the Chief Minister and relates to insurance for community councils and community groups. Chief Minister, in a previous Assembly, community councils and the Greens successfully lobbied the ACT government to facilitate affordable insurance for the ACT's community councils. Why has the ACT government now ceased facilitating insurance for these important community consultative bodies?

MR BARR: The government has not ceased to support community councils in relation to insurance provisions. What has transpired since those initial insurance

policies were entered into is that the scope of activities across community councils and some of their affiliated resident groups has broadened considerably. The original policy that was in place for all community councils does not cover that broader range of activities, so the government is meeting with individual community councils.

Across the territory there are some that have no affiliated suburban residential groups; others have 10 or 11 affiliated suburban residential groups that form part of a range of activities that a community council would undertake. The government funds community councils to undertake a range of consultative activities in the community. We will continue to do so and insurance arrangements will be part of that.

MS LE COUTEUR: Has the government increased, or will it increase, its financial support for the councils to cover whatever increased costs they may have for insurance?

MR BARR: We may not have increased costs for insurance; it will, of course, depend on the nature of any changes sought by community councils. It has now moved from a one-size-fits-all insurance policy to needing to tailor insurance policies to meet the different needs of different sections of our city. Those negotiations and discussions with insurance brokers and the like are ongoing. I am advised that there have been some meetings to date with community councils but that there are some who are yet to have their more detailed meeting about their insurance needs.

The directorate is continuing to work closely with the various community councils. From memory, we provide funding of around \$12,851 or thereabouts for community councils for these sorts of purposes. That figure may be indexed annually. I am not sure; I will check on that. But I do not think it is going to be a problem in relation to capacity to afford insurance as the additionality of the community organisations' coverage should be manageable. That is what I have been advised, but we will continue to work closely with the councils.

MS CODY: Chief Minister, what support does the ACT government currently provide to community councils?

MR BARR: The government does, of course, provide annual grants to community councils to assist in their activities. We also provide the bulk of in-kind support for community councils by way of information dissemination assistance, providing, I would imagine, a fair proportion of the guest speakers who attend regular meetings from across the ACT government directorates. There is very considerable support for community councils.

Of course, they differ in the range of activities that they undertake. Some are involved in running community festivals and suburban-level events; others have a much more consultative focus, with a particular emphasis on, for example, planning issues.

Visitors

MADAM SPEAKER: Members, I want to welcome to the Assembly a group that has been part of a getting to know your Assembly group today. Welcome to your

Assembly. I hope you have had an informative morning with the crew from the education unit here at the Assembly.

Questions without notice

Canberra Hospital—emergency waiting times

MRS DUNNE: My question is to the Minister for Health and Wellbeing. Minister, yesterday you were asked a question about your statement on 15 August 2018 in this place, as recorded in *Hansard*, where you said that “emergency department waiting times are coming down.” For the information of members, I seek leave to table page 2673 of *Hansard* of 15 August 2017.

Leave granted.

MRS DUNNE: I table the following paper:

Hansard, page 2673, 15 August 2017.

The minister tells Mr Coe:

Indeed Canberra Hospital emergency department waiting times are coming down. I am regularly briefed by Canberra Hospital and by ACT Health on the performance of the emergency department. There is internal information directly sourced from the emergency department on a daily basis, and I am pleased to say the broad trend is that emergency department waiting times are coming down.

Minister, why did you say in this place on 15 August that emergency department times were coming down when in fact they were going up?

MS FITZHARRIS: Quite simply, as I indicated yesterday, six weeks into the 2017-18 financial year I looked at the trends for both key emergency department indicators over the previous two years. In 2015-16, the percentage of patients seen on time was 59 per cent. In 2016-17, six weeks before I made that statement, they were 63 per cent. They had gone up from 59 per cent to 63 per cent. Similarly, for the ED length of stay for four hours or less, the rate in 2015-16 was 66 per cent. In 2016-17, it was 73 per cent.

MRS DUNNE: Minister, when did you first become aware that emergency department waiting times in the last financial year were in fact going down, not going up?

MS FITZHARRIS: I think over the course of the year it did become apparent that those numbers were not—

Mr Hanson: Why didn’t you come in here and say that? Why didn’t you correct the record?

MS FITZHARRIS: Because at the time, when I made the statement in August, I was basing it on the results in the previous two financial years. I refer members to my

answer yesterday but also remind them that it was one of the worst flu seasons on record in the last financial year. Emergency departments, indeed hospitals, across the country saw a significant increase in demand. As is made clear in the annual report, the performance over the course of the last financial year has not been as strong as the previous year.

MR WALL: Minister, when will you finally release the report for the September quarter of 2017?

MS FITZHARRIS: I expect to do that in the next four weeks.

Health—breast screening

MS LEE: My question is to the Minister for Health and Wellbeing. Minister, in February 2017, radiology registrars at the Canberra Hospital raised in meetings with the Acting Chief Medical Officer concerns about the lack of breast screen training. BreastScreen ACT is not part of the network for the medical imaging department's training program. Minister, why is BreastScreen ACT not part of the network for the medical imaging department, and what is the medical imaging department doing to ensure that a breast screening network is available to trainees for rotation experience?

MS FITZHARRIS: As I recall, that issue was raised by the college in its accreditation survey of the medical imaging department earlier this year. Canberra Health Services have responded to the college on a number of the recommendations that they have made, which, from recollection, include experience for trainees in breast imaging. I look forward to getting an update, I believe in the next fortnight, from Canberra Health Services about the college's response to their report.

MS LEE: Minister, what other networks does the medical imaging department need to establish for its trainees, and what progress is being made to secure them?

MS FITZHARRIS: I recall also greater access to some regional locations, but I will take the question on notice.

MRS DUNNE: Minister, have mammograms of BreastScreen ACT been referred to interstate radiologists for reading and diagnosis and, if so, how often does this occur?

MS FITZHARRIS: I will take that on notice.

Canberra Hospital—radiology department

MISS C BURCH: My question is to the Minister for Health and Wellbeing. In question time on 14 August you said you became aware of the serious problems in the radiology department of the Canberra Hospital during the recent radiology accreditation for training in March of this year. Concerns about the training program in the radiology department of the Canberra Hospital had been raised by senior officials of ACT Health as early as February 2017. Why did it take a year for you to become aware of the problems in the radiology department of the Canberra Hospital?

MS FITZHARRIS: I believe that they became particularly apparent during the accreditation by the college. I will check the records, but I believe I was not formally briefed on that in that period.

MISS C BURCH: Minister, why were you not aware of serious issues in your department for months after senior officers became aware of these issues?

MS FITZHARRIS: I will take that question on notice.

MRS DUNNE: Minister, what changes to briefing arrangements have you made following the health restructure to ensure that you have greater visibility of issues as they arise?

MS FITZHARRIS: I now receive briefings from the Director-General of ACT Health and the CEO of Canberra Health Services, and I have enormous confidence in them both to brief me on relevant matters.

Planning—Kambah

MS CODY: My question is to the Minister for City Services. Minister, could you please update the Assembly on the Kambah Village upgrades following the release of the government's stage 2 plans? How does this complement other developments at the group centre?

MR STEEL: I thank Ms Cody for her question. I certainly recognise her advocacy in relation to the shop upgrades and her genuine connection with Kambah Village, having worked there for a number of years. On 10 October I was delighted to update the Canberra community and particularly those in my electorate of Murrumbidgee about the exciting upgrades to Kambah Village.

Plans for stage 2 of the ACT government's \$2 million in upgrades have been released detailing the upgrades to public areas around the shops. This work expands on the \$300,000 we invested as part of stage 1, which focussed on the immediate courtyard area at the shops. The \$2.3 million in works that the ACT government has delivered to upgrade the public areas around the shops has also been complemented by a proposed private redevelopment of Kambah shops, including an extension to the Woolworths at 14 Primmer Court.

Construction is also currently underway on a new pond at Kambah Village, which is being built under the healthy waterways project. It includes a seated platform for visitors to enjoy the view. Combined, these upgrades will make a significant difference at Kambah Village and for the 15,000 residents who call Kambah home.

MS CODY: Minister, what upgrades have been outlined in the final sketch plans?

MR STEEL: The final plan for stage 2 outlines the upgrades to Kambah Village, focusing on public areas in the south-east of the centre. The new plans outline upgrades to the existing playground, and new playground equipment such as a basket

swing, slides, a climbing frame and a trampoline. Other upgrades include a new shade sail, a new irrigated grass area with a barbecue, new seating areas and a new waste enclosure. The improvements also extend the upgrades to pedestrian lighting and pavements as well as the addition of nine new car parks.

Whilst the government's upgrades focused on the south-east section of Kambah Village, the proposed private redevelopment focuses on upgrades to the northern entrance to the shops to provide a more accessible covered walkway to the centre. It also includes an extension to the Woolworths supermarket of 1,754 square metres.

MR PETTERSSON: Minister, what was the role of community consultation in this process?

MR STEEL: I thank Mr Pettersson for his supplementary. Stage 2 of the government's upgrades to Kambah Village follow significant community consultation. I have personally spoken to many people in my electorate who wanted to see the upgrades to Kambah Village shops with over 2,000 people in Kambah signing my petition calling for the shops to be upgraded. Plans for stage 2 were also open for community consultation on the your say website, and key aspects of the feedback have been included in the final concept designs.

The announcement of the plans has certainly been welcomed by the community. Of course, the development application for the extension of the supermarket and other works is currently open for comment through the ACTPLA website as well. I look forward to keeping the community updated as the project commences at Kambah Village.

Mental health—occupational violence

MRS KIKKERT: My question is to the Minister for Mental Health. I refer to a quote from a nurse at Dhulwa in the media on 21 October 2018:

You keep hearing “we’re doing this, you’re very important to us, your safety is paramount to us”, yet I see nothing being done.

Minister, why are you doing nothing to protect the safety of nurses and patients in our mental health system?

MR RATTENBURY: It is disappointing to hear that a staff member feels that that is the case. Certainly from my own efforts, I have been actively discussing this matter with the senior management. I think I have mentioned in this place before the development of a nurse safety strategy. In my discussions with the Chief Nurse, I have been particularly highlighting the importance of mental health nurses and the particular needs they have as part of that nursing strategy.

We do of course need an overall nursing strategy but we need to recognise the diversity of roles, and I believe that our mental health nurses are particularly vulnerable to issues of occupational violence, which is what we have seen some examples of at Dhulwa.

There is a range of other things going on but I want to assure both the Assembly and our nursing staff that I am very focused on this. It is important. I expect people to be able to go to work and be safe. I know that our staff recognise that there is a level of risk but we want to make them as safe as we possibly can.

MRS KIKKERT: Minister, why do nurses in the adult mental health unit not feel confident that they will be able to leave work safe from harm?

MR RATTENBURY: As I touched on in my previous remarks, our staff recognise that there is a level of risk in the workplace. Our job is to mitigate those risks as much as possible by ensuring that we have the right systems, the right infrastructure and the right training. Where individual staff have concerns we need to take up those concerns. Certainly both I and the senior leadership of the health department have had meetings with the nurses federation recently and they have represented to me very directly the concerns of some of their members. I take that very seriously.

MRS DUNNE: Minister, what responsibility do you have as the minister to ensure that nurses and patients in our mental health residential system are safe?

MR RATTENBURY: My responsibility is to ensure that our senior leadership is putting the right measures in place. My responsibility is to be available to the union and to our staff for people to be able to raise their concerns with me. That is what I consider to be my responsibility; and then to follow through and ensure that those concerns are acted on.

Does that mean that everything will be fixed all of the time? No, it does not. That is why I must continue to work on these things.

Tuggeranong—Mpowerdome

MR WALL: My question is to the Minister for Sport and Recreation. Minister, a recent campaign has been undertaken in Tuggeranong suburbs that calls for the ACT government to purchase the Mpowerdome sporting facility and ensure that the facility once again becomes open to serve as an indoor sports facility in Tuggeranong and for the broader Tuggeranong community. What conversations have you recently had with either your department or external stakeholders about the future of the Mpowerdome?

MS BERRY: Sorry; with stakeholders?

MR WALL: I will repeat that for the minister. What conversations have you recently had with your department or external stakeholders about the future of the Mpowerdome?

MS BERRY: I have not had any conversations; only to know that there are some leaflets going out in suburbs in Tuggeranong about the purchase or the sale of the Mpowerdome.

MR WALL: Minister, what actions have you taken as the minister responsible for sport to ensure that the Mpowerdome remains as an indoor sporting facility for Tuggeranong as opposed to being used for other purposes such as development?

MS BERRY: The Mpowerdome is a privately owned and operated organisation, so it is the responsibility of that organisation. As far as I am aware, it is for sale.

MR PARTON: Minister, have you and your government ruled out the purchase of the Mpowerdome as a possibility in order to ensure that the Mpowerdome remains an asset to the community as an indoor sporting facility?

MS BERRY: It is a private organisation operated and owned by a private operator and owner. I understand that it is for sale, but the government is not in the business of purchasing private businesses.

Aboriginals and Torres Strait Islanders—agreement

MR PETTERSSON: My question is to the Minister for Aboriginal and Torres Strait Islander Affairs. Minister, can you update the Assembly on the development of the ACT Aboriginal and Torres Strait Islander Agreement 2019-28?

MS STEPHEN-SMITH: I thank Mr Pettersson for the question. The ACT Aboriginal and Torres Strait Islander Agreement 2015-18 is due to expire soon. The agreement is a high-level commitment by the Aboriginal and Torres Strait Islander Elected Body, the ACT government and the ACT public service to work together to achieve equitable outcomes for Aboriginal and Torres Strait Islander people in the ACT.

The new agreement will continue to set out the ongoing commitment of the ACT government, the elected body and the community to recognise and respond to the needs of Aboriginal and Torres Strait Islander people living in the ACT. It is proposed that the new agreement will be for a 10-year period, which will allow for forward planning and a more coordinated approach. An extended time period for the new agreement will enable it to run in parallel with the COAG closing the gap strategy, which is also currently in the process of being refreshed.

The new agreement will build on the work carried out under the existing agreement and will continue to be centred on strong families. It is envisaged that the new agreement will focus on outcomes that can be achieved within the 2019-28 period; include clearly identified outcomes for each government directorate; and include shorter term milestones to support the delivery of objectives and maintain engagement with the community.

I thank members of the elected body and the staff of the office for Aboriginal and Torres Strait Islander affairs for their hard work and commitment throughout this process. I also thank all the members of the local Aboriginal and Torres Strait Islander community who have engaged in processes to inform the development of the new agreement.

MR PETTERSSON: Minister, how has community engagement informed the development of the agreement?

MS STEPHEN-SMITH: I thank Mr Pettersson for his supplementary. The office for Aboriginal and Torres Strait Islander affairs, or OATSIA, in partnership with the elected body, commenced community engagement in March this year. Since then they have held extensive conversations with the ACT's Aboriginal and Torres Strait Islander community. This has included one-on-one conversations with traditional custodians; community groups and organisations, including Gugan Gulwan Youth Aboriginal Corporation and Winnunga Nimmityjah Health and Community Services; and open community forums as well.

Information about the agreement was also distributed to the community at reconciliation in the park and at the ACT NAIDOC family day where I understand that members of the elected body engaged with around 200 people. Individuals could also share their thoughts via a survey on the strong families and your say websites.

The elected body has advised me that its contribution to the development of the new agreement has been informed by dozens if not hundreds of individual conversations with community members as part of the elected body's ongoing engagement with the Aboriginal and Torres Strait Islander community.

Through this work we have directly heard the diverse voices and perspectives of many individuals, community groups and stakeholders. In addition, recognising that many of the issues raised have been consulted on extensively in the past, OATSIA has also reviewed a range of reports and previous consultations, and the outcomes of that research have fed in to the development of the new agreement.

Throughout this work and these conversations we have also heard that self-determination is a critical priority for the community. Supporting the rights of Aboriginal and Torres Strait Islander peoples to freely determine their political status and to freely pursue their economic, social and cultural development is one of the key principles of the current agreement.

MS ORR: Minister, what else is the government doing to enable Aboriginal and Torres Strait Islander peoples to exercise self-determination in the ACT?

MS STEPHEN-SMITH: I thank Ms Orr for her supplementary question. The right to self-determination is based on the simple fact that Aboriginal and Torres Strait Islander peoples are Australia's first people. Self-determination is the underlying principle of the current agreement and, based on community feedback, will be even more prominent in the new agreement. The new agreement will provide tangible actions enabling Aboriginal and Torres Strait Islander peoples to exercise self-determination and have the ability and resources to provide their own solutions.

An example of self-determination in action is *Our Booris, Our Way*, the review into Aboriginal and Torres Strait Islander children and young people in contact with the child protection system. The review is overseen by a wholly Aboriginal steering committee with strong cultural intellect and capability. The review's interim report is

a demonstration of the incredible work that they have done to date and will continue to do into the future as the review progresses.

We know that Aboriginal and Torres Strait Islander people have the answers. It is up to governments to listen to them and recognise the importance of Aboriginal and Torres Strait Islander-led solutions. Initiatives in the ACT such as circle sentencing also recognise this important principle.

Self-determination is also the core of any discussion about treaty. The government has said that it is open to the negotiation of a treaty for the ACT. I recently discussed this possibility at a meeting of the United Ngunnawal Elders Council, acknowledging that any treaty process would require the engagement of traditional custodians and that they be comfortable with, and indeed lead, the process.

I will continue my conversations with the community regarding a treaty for the ACT and will continue to follow closely the progress of treaty processes in Victoria and the Northern Territory but, unfortunately, no longer in South Australia. Most importantly, we have started this conversation and we in the ACT government have made a strong commitment to self-determination for the ACT's Aboriginal and Torres Strait Islander people

Crime—motorcycle gangs

MR HANSON: My question is to the Minister for Police and Emergency Services. Minister, I refer to a motorcycle ride in the ACT on Saturday, 25 August by the Nomads outlaw motorcycle club. It was led by convicted killer Mouhammed “Moudi” Tajjour. Have the New South Wales minister for police or other senior figures from NSW Police raised concerns with you or with ACT Policing about this event?

MR GENTLEMAN: I thank Mr Hanson for his question and his return to his interest in justice and safety in the ACT. I will be meeting with police ministers tomorrow. No doubt, we will be discussing some of these instances. Of course, I will reiterate that Canberra is a safe place but we are not immune from criminal gang activity. We see, of course, criminal gangs riding into the ACT every now and again.

We also see them riding into other cities. In fact, most recently we had them ride into Melbourne. It was a very large contingent of outlaw motorcycle gangs. We are told, of course, that the Victorian legislation is much stronger than what we have in the ACT. But even with that, we saw 600 outlaw motorcycle gang members ride into Melbourne. So as I said earlier on—

Mr Hanson: Madam Speaker, I raise a point of order.

MADAM SPEAKER: Resume your seat, please, minister. Stop the clock.

Mr Hanson: The question I asked was whether there had been any contact between NSW Police and ACT Policing or the minister. He has not directly answered that. He is talking about the fact that he is meeting tomorrow. But my question is: have there been any concerns raised by NSW Police with ACT Policing or with him?

MADAM SPEAKER: Thank you. The minister has a minute to continue. He may get to satisfy your point, Mr Hanson.

MR GENTLEMAN: Yes, the New South Wales police talk to our Chief Police Officer on a regular basis in regard to both outlaw motorcycle gangs and other criminal gang activity. I am very pleased that Mr Hanson is interested in dealing with outlaw motorcycle gangs because I note that members of the opposition voted against the budget that provided resources for police to deal with outlaw motorcycle gangs. In one instance they are happy to talk about outlaw motorcycle gangs and in the next minute they vote against the money that would provide resources to ACT Policing. I think that goes without saying.

MR HANSON: Have police ministers from any other state raised concerns about bikies from their states coming to Canberra to plan criminal acts, which they are unable to do in their own home states?

MR GENTLEMAN: I would have to ask CPO. I have not had any briefing that other chiefs of police have written to us. I do not recall any correspondence from chiefs of police from other jurisdictions to me.

MRS DUNNE: Minister, have ministers raised concerns about unlawful motorcycle gangs at previous police ministers conferences?

MR GENTLEMAN: Indeed, the conversation on criminal gangs occurs at every police ministers meeting. This is a topic of conversation. We take it very seriously. These are criminal gangs operating in the Australian jurisdiction, and my most recent verbal briefing from the Chief Police Officer indicates that it is an international activity where criminal gangs are bringing drugs from other jurisdictions to try to sell across Australia. Canberra is not immune from that. It is a business model that these gangs use. It is occurring in the ACT. We need to resource ACT Policing through Taskforce Nemesis to take action against criminal gangs. That is what we did in this year's budget, and the Liberals voted against it.

Suburban Land Agency—revenue target

MR PARTON: My question is to the Minister for Housing and Suburban Development. Minister, the Suburban Land Agency reportedly missed its revenue target by nearly \$200 million last financial year. It has been given a higher revenue target of \$701 million this financial year. Can you guarantee that the Suburban Land Agency will meet its revenue target this financial year when it failed to meet the target for last financial year so badly?

MS BERRY: There were a number of reasons behind the targets not being met by the Suburban Land Agency. They included late payments by developers. The Suburban Land Agency board and the CEO are working on ways to ensure that that will not happen in the future, so that targets can be met.

MR PARTON: Minister, to what extent will this increased revenue target result in high land prices and reduced housing affordability?

MS BERRY: It will not.

MR COE: Minister, is the Suburban Land Agency on track to meet its targets for the 2018-19 year based on the results for the last quarter?

MS BERRY: There will be some work to do to catch up given some of the circumstances that were beyond the control of the Suburban Land Agency. But they will meet their targets as they are required to.

Environment—upper Stranger Pond

MS LAWDER: My question is to the Minister for City Services. Residents of Tuggeranong have reported that upper Stranger Pond was recently drained. This is after the pond was officially drained, carp were removed, and the pond was refilled and stocked with native fingerlings in January of this year. A report in the *Canberra Times* of 24 September 2018 quotes a city services directorate spokesperson as saying that it was drained without authorisation. Minister, was the pond drained without authorisation? If so, how is this possible?

MR STEEL: I thank the member for her question. I recently provided an update to Tuggeranong Community Council about this issue. There was unauthorised access to the valve and, as a result, a large portion of the water in upper Stranger Pond has leaked into lower Stranger Pond, including the fingerlings in there, which we believe to be around 15 centimetres long. We have been speaking to the contractor involved to ensure that that does not happen in the future.

MS LAWDER: Minister, are other ponds around the ACT subject to the same potential for unauthorised draining, and what are you doing to avoid this in the future?

MR STEEL: I thank the member for her question. I will take that on notice.

MR PARTON: Minister, have the person or persons responsible been identified? What action has been taken against them?

MR STEEL: I thank the member for his question. We have been speaking with the contractor involved. I am happy to take on notice questions in relation to any actions that have been taken with the contractor.

Economy—credit rating

MS ORR: My question is to the Chief Minister. Chief Minister, what was the outcome of the ACT's recent credit rating review?

MR BARR: I thank Ms Orr for the question. I can advise the Assembly that Standard & Poor's have reviewed the territory's fiscal position following the release of this year's budget and once again confirmed that the ACT remains AAA rated. We now have a stable outlook in line with the Australian government and the New South Wales and Victorian governments.

I would remind members that this is, of course, the highest possible credit rating and speaks to the ACT's very sound public finances. We are one of only three Australian states and territories to hold this rating and, indeed, one of just a handful of subnational jurisdictions around the world.

In this latest assessment Standard & Poor's has increased its overall assessment of the territory's financial fundamentals, particularly marking us up for budgetary performance and our manageable liabilities. S&P noted the strong turnaround that the ACT has made since the government used our balance sheet to support the territory's economy and to protect local jobs. The ratings agency pointed out that downside risks such as those associated with the asbestos remediation program are diminishing over time because of our efforts to manage this program within budget.

By confirming the ACT's AAA credit rating for another year S&P has highlighted something that is there for everyone to see in the budget papers: that the territory's finances are strong; that our borrowings are responsible and manageable; and that we have achieved this while continuing to invest in better services and infrastructure for Canberrans.

MS ORR: Chief Minister, why does the territory's credit rating matter to anyone who is not a treasury bean counter?

MR BARR: With the greatest of respect to treasury bean counters, people beyond just the bean counters need to have an interest in the territory's fiscal position, and maintaining a AAA credit rating is confirmation that the ACT's finances are strong and sustainable.

It is important for all Canberrans because without a strong budget delivered through responsible fiscal management the government would not be able to keep growing our investment in more and better services for this community and investing in the infrastructure we will need into the future.

If our revenues and our tax base were not stable and efficient, we would not be able to hire more teachers in our local schools and frontline staff in our hospitals and know that we could keep them working for this community into the years ahead.

Without manageable debts and the capacity to repay them we would not be able to invest in more public transport and build new health facilities at Canberra Hospital or new schools in growth areas. Without a responsible plan to meet our future liabilities we could not guarantee a secure retirement for the tens of thousands of past and present employees of the ACT public service.

A strong credit rating is not an end in itself, but it is a signal that we are on the right track to managing the territory's budget responsibly so that we can keep delivering for this community into the years ahead.

MS CODY: Chief Minister, did international financial experts Standard & Poor's express concern or reservations about the inclusion of the superannuation return adjustment when presenting the headline net operating balance, the territory's level of

external financing, the accounting treatment for the ACT's large-scale renewable generation certificates or our capacity to meet our long-term superannuation liabilities?

MR BARR: No, they did not.

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

Papers

Mr Barr presented the following paper:

City Renewal Authority and Suburban Land Agency Act, pursuant to subsection 13(2)—City Renewal Authority—Land acquisitions quarterly report—1 July to 30 September 2018, dated October 2018.

Ms Berry presented the following papers:

Auditor-General Act, pursuant to subsection 21(1)—Auditor-General's Report No 7/2018—Five ACT public schools' engagement with Aboriginal and Torres Strait Islander students, families and community—Government response.

City Renewal Authority and Suburban Land Agency Act, pursuant to subsection 43(2)—Suburban Land Agency—Land acquisitions quarterly report—1 July to 30 September 2018.

Ms Fitzharris presented the following papers:

Freedom of Information Act, pursuant to section 39—Copy of notices provided to the Ombudsman—ACT Health—Freedom of Information requests—Decisions not made in time—

FOI 18-14, dated 21 September 2018.

FOI 18-15, dated 26 September 2018.

FOI 18-17, dated 27 September 2018.

Office of the National Rail Safety Regulator—Annual report 2017-2018, dated June 2018.

Mr Ramsay presented the following paper:

Information Privacy Act, pursuant to subsection 54(3)—Australian Government—Office of the Australian Information Commissioner—Memorandum of Understanding with the Australian Capital Territory for the provision of privacy services—2017-18 Annual report.

Molonglo Valley strategic assessment—independent audit—government response Paper and statements by ministers

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs

and Road Safety and Minister for Mental Health) (3.14): For the information of members, I present the following paper:

Molonglo Valley Strategic Assessment—Independent Audit—Government response.

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

Leave granted.

MR RATTENBURY: On 7 June this year I tabled the first independent audit of the Molonglo Valley strategic assessment, undertaken by the Commissioner for Sustainability and the Environment. The commissioner undertook the audit as a result of a ministerial direction that I gave under the Commissioner for Sustainability and the Environment Act 1993.

The purpose of the audit is to independently verify the progress against the strategic assessment commitments between the ACT and commonwealth governments. The agreed commitments formed the conditions of approval for development in the Molonglo Valley. The commitments are to be delivered over the 30-year time period of the strategic assessment with an independent audit to be undertaken every five years.

Minister Gentleman has the portfolio responsibility for this matter as the Minister for Planning and Land Management.

MR GENTLEMAN (Brindabella—Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (3.15), by leave: I thank Minister Rattenbury for tabling the report. As the minister responsible for the implementation of the Molonglo Valley strategic assessment I am pleased to provide comment on the government's response to the first independent audit undertaken by the Commissioner for Sustainability and the Environment.

The government's response to the audit highlights progress since the audit was completed in April 2018, including the work undertaken to deliver four corrective actions and it makes further comments in relation to the recommendations handed down in the audit.

Of the 60 commitments in the strategic assessment the audit report identified that 44 were compliant, 28 of which had observations; 11 were non-compliant; four were undetermined; and one was not applicable. The majority of non-compliant commitments were only deemed non-compliant due to the time frames not being met, even though the commitments have been delivered.

Four corrective action requests were issued in relation to high-risk items to ensure strategic assessment commitments are met. These related to finalising the Molonglo River Reserve management plan, incorporation of actions and monitoring into

relevant land management agreements, and finalising the operational plans for the pink-tailed worm lizard and offset area Patch P. I am pleased to advise that the operational plan for the pink-tailed worm lizard has been delivered, and the remaining actions are due later this year. EPSDD is working with the relevant agencies to ensure they are delivering on time.

The audit report also made recommendations relating to improvements in the coordination and administration of the strategic assessment. These included recommendations to ensure that time frames are met and to ensure accurate record keeping and publication of reports. I am pleased to say the government has agreed to all 12 of the recommendations in the audit report.

The Environment, Planning and Sustainable Development Directorate is now overseeing the coordination of the strategic assessment and has been working with other agencies to develop and implement procedures to improve administration processes and deliver commitments on time.

Some of the key projects include implementing a procedure for the review and approval of construction and environmental management plans for greenfield projects in the strategic assessment area, developing a new recording procedure, and ongoing work reviewing and upgrading the strategic assessment webpage to ensure that all research papers and reports are publically available.

The audit report also noted that there is a need to consider potential systemic risks to conservation areas in achieving the ecological outcomes of the strategic assessment and to ensure that adaptive management is applied.

A review of the ecological objectives will be undertaken as part of a commitment under the strategic assessment to deliver an expert panel report, which is currently being prepared. The report will provide advice and recommendations for any amendments necessary to ensure that we are achieving the conservation outcomes and performance targets for matters of national environmental significance in the Molonglo Valley strategic assessment area.

In conclusion, I acknowledge that the Molonglo Valley strategic assessment is a long-term project and will require ongoing coordination and support to ensure that commitments are delivered in accordance with the plan. The ACT government has already undertaken a number of steps to implement the findings of the audit, delivering the required corrective actions and establishing new procedures and processes.

Further actions to deliver the findings in the audit report will be published in Molonglo Valley strategic assessment annual reports to ensure ongoing transparency and accountability on implementation of the strategic assessment commitments. The government's response to the audit has been a valuable opportunity to provide leadership for the development and delivery of future strategic assessments throughout Australia.

Safer cycling reforms—evaluation Paper and statement by minister

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (3.19): For the information of members, I present the following paper:

Evaluation of the ACT Government's safer cycling reforms, dated October 2018—Prepared by the Centre for Automotive Safety Research, The University of Adelaide.

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

Leave granted.

MR RATTENBURY: I take this opportunity to table the evaluation of the ACT government's safer cycling reforms trial and to announce that the trial conditions will be included in ACT road rules permanently. I also want to use this opportunity to emphasise the importance of cycling to the ACT. Yes, cycling still accounts for a relatively small percentage of trips in the territory and is dwarfed by the number of trips made by private motor vehicles. But cycling is unique in its ability to bring health benefits, environmental benefits and social benefits.

Increasing the number of trips made by cycling reduces the number of trips made by private motor vehicles. This is critical to the wellbeing of Canberra as a city. In Canberra we aim to be Australia's most cycling-friendly city, as well as a city that is responding to climate change, reducing greenhouse gas emissions and reducing reliance on the motor vehicle. These goals go hand in hand. A key strategy in achieving this transformation is to encourage and support cycling through better infrastructure, through improved safety and through appropriate supportive rules and regulations.

Disappointingly, there continues to be angst between motorists and cyclists in the ACT community. It is evident in any public discussion about cycling. There are still motorists who dislike cyclists. Some of them appear to be disproportionately obsessed with cyclists. Some people make extremely disparaging and insensitive comments about cyclists, including about cyclists being injured and killed. At the very least, I would ask these keyboard commentators to remember that every cyclist is a person who is someone's son or daughter, brother, sister, mother or father. It is not okay to endanger them or to make light of their injuries or death.

I want to be clear that cyclists are absolutely welcome here in our city. They are not just welcome; they are highly valued. Our community and our city benefits from cyclists and will benefit from an increase in cycling. We will benefit from the growing positive and supportive attitude towards cycling. More cycling means a healthier city, a happier city, a more environmentally friendly city. Even if you are a motorist, your car trip is easier because for each of those cyclists there is one less car on the road.

I also remain optimistic that the feud between motorists and cyclists will end. Generally, I think relations continue to improve, particularly in Canberra where cycling participation increases. In November 2015 the ACT government began a two-year safer cycling reforms trial. This required motorists to provide a minimum overtaking distance when passing cyclists of one metre in speed zones of 60 kilometres an hour or less and 1.5 metres in speed zones greater than 60 kilometres an hour.

The trial also allowed for riders to remain on their bicycles when crossing at pedestrian crossings as long as they met certain conditions, such as slowing and crossing at a speed no greater than 10 kilometres per hour. In addition, the government developed a community awareness and education strategy for the trial, including a cyclist code of conduct.

To assist with compliance with the minimum passing distance rules, the road rules were amended to allow motorists to cross, straddle or drive on centre lines and painted islands when overtaking cyclists, provided the passing manoeuvre is safe to undertake, with a clear view of any approaching traffic.

The trial period formally ended on the 31 October 2017. However, the conditions of the trial have remained in place as the evaluation was undertaken. The independent evaluation of the trial was undertaken by the University of Adelaide's Centre for Automotive Safety Research. The objective of the evaluation was to assess the road safety benefits to cyclists as a result of the ACT safer cycling reforms trial and to determine the future of the rules in the territory.

Three data sources from the ACT were examined in the evaluation of the safer cycling reforms trial. The report noted, however, that due to the limited number of crashes and infringements, statistically significant conclusions could not be made, that is, any differences noted in the report could have occurred with a natural fluctuation of crashes or infringements.

The report did, however, make several observations. Firstly, comparison of the crash data for the two years before and two years after the commencement of the trial showed that injury and property damage-only crashes involving cyclists decreased during the trial. Crash data analysis showed that the total number of reported bicycle-related crashes reduced slightly from 401 to 386 between the pre-trial and trial periods.

The number of minimum passing distance-related crashes also reduced slightly from 20 to 18 during the pre-trial and trial period. The number of bicycle crashes with motor vehicles while riding across pedestrian crossings increased in the trial period compared to the pre-trial period, from 22 to 35. These results may indicate that cyclists riding on these paths may not be slowing adequately to the required speed of 10 kilometres an hour when approaching pedestrian crossings or motorists are not looking out for cyclists approaching. Interestingly, there was a small decrease in the number of collisions between cyclists and motor vehicles on pedestrian crossings at

locations where there were no shared paths and no crashes reported between pedestrians and cyclists while riding across pedestrian crossings during the trial period.

I also point out that the evaluation notes four crossings where the most crashes occurred. Three of these crossings have had recent traffic calming upgrades such as speed humps, which I hope and expect will mitigate the potential for collisions between cyclists and motor vehicles.

One of the evaluation's recommendations is that infrastructure changes be implemented to help reduce crashes between cyclists and motor vehicles at pedestrian crossings located along shared paths by calming both bicycle and motor traffic and increasing situational awareness. I agree that this is a good area to further investigate.

A further recommendation includes an education campaign aimed at demonstrating how motorists should safely pass cyclists and the need for motorists to slow down to a safe speed when approaching pedestrian crossings, as well as the education of cyclists in particular on how cyclists should safely cross at pedestrian crossings, especially along shared paths.

I also think that the community would benefit from road signs about the minimum passing distance rules. There are examples of these in Tasmania that I think we could easily adopt. The ACT government has funded a number of projects through the ACT road safety fund to provide education and awareness to road users.

The 2018-19 road safety fund grant initiatives I announced in September, for example, included funding to develop and produce minimum passing distance mats to be used at community events to demonstrate the minimum passing distance for overtaking cyclists, an online safety program for heavy vehicle drivers to reduce risks to cyclists and funding to provide a defensive cycling program to help cyclists to stay safe on Canberra roads.

Investigations and engagement by ACT Policing with the public also offer ongoing opportunities to educate all road users to ensure road safety for all. Specifically, I was very pleased to see that ACT Policing has recently started using social media to share the message about minimum passing distances, including targeted messaging during vulnerable road users month. ACT Policing media have produced and disseminated a video demonstrating the minimum passing laws and how these laws apply to drivers and cyclists. I noticed these have been very popular, or at the least they have attracted a lot of social media commentary.

A further education and awareness campaign aimed at how motorists should pass cyclists safely, as well as how cyclists should safely cross at pedestrian crossings, has been developed by the ACT government through its social media sites, advertisements on ACTION bus sides and backs, and print media and television advertisements delivered at ACT government shopfronts in response to this evaluation. This is being delivered in conjunction with this announcement that the trial conditions will be included into the ACT road rules permanently.

The evaluation report conducted an analysis of police enforcement data during the pre-trial and trial periods in an attempt to identify the level of compliance with the safer cycling reform trial rules. Eleven motorists were issued a traffic infringement notice or caution related to non-compliance with the minimum passing distance rule during the trial, while only one cyclist was issued a traffic infringement notice for non-compliance with pedestrian crossing allowances.

The evaluation report notes that the small number of infringements issued for the minimum passing distance rule, combined with the fact that in some cases its enforcement was based on reports from cyclists, suggests that ways should be investigated to allow the police to practically enforce the rule in the future.

I am actively involved in discussion with Minister Gentleman, the police minister, about this issue. Some of the interesting possibilities include police using a lateral measuring device as a tool to enforce and educate road users on the laws. Police could also deploy an officer on a bicycle who notes vehicles that pass closely and radios ahead to another officer.

Another opportunity is for police to open a user-friendly portal through which cyclists or other road users could submit recorded footage of incidents. These are some of the initiatives that have been used by police forces in other jurisdictions. West Midlands Police in the UK is a notable example. I actually had the opportunity to meet with the West Midlands Police during my recent visit to the UK. Their efforts on cycling issues have been well received in their community. Since they launched operation close pass, which targets motorists who endanger cyclists by overtaking too close, there has been a 20 per cent reduction in the number of cyclists killed or seriously hurt in collisions.

As I noted, because of the small number of crashes and infringements it is hard to draw conclusive safety evidence from the trial data. However, there is further ongoing work to collect evidence related to cycling safety. Last year we launched a project, funded through the ACT's road safety fund, which is undertaken by the University of Adelaide's Centre for Automotive Safety Research. Lateral measuring devices are attached to bicycles and will collect data for an evaluation of bicycle passing distances in the ACT.

What I think is very clear, though, is that the minimum passing distance law, and the accompanying education efforts, are improving community attitudes and improving the general cycling experience. This, I expect, will create a safer environment for cyclists, as well as attract more people to cycle. More people cycling also means the practice becomes safer.

As evidence of this, we can look to the results of pre and post-trial community surveys and correspondences received from ACT residents. The awareness level of the safer cycling reforms trial as reported in the post-trial survey essentially doubled compared to the pre-trial survey, indicating that 70 per cent of the ACT residents were aware of the reforms by the end of trial. This is a significant increase from the pre-trial awareness of 36 per cent.

Support of both the minimum passing distance and pedestrian crossing allowance components of the safer cycling reforms increased during the trial. By the end of the trial, 91 per cent of residents were at least somewhat supportive of a minimum overtaking distance for motorists passing cyclists, 47 per cent of which were very supportive. These support levels have significantly increased since 2015. Sixty-seven per cent of residents were at least somewhat supportive of cyclists being allowed to slowly ride across pedestrian crossings, rather than having to stop and dismount to cross. This is also a significant increase in support compared to 2015.

In terms of community attitudes, I also note that there were no reports of any increase in harassment or road rage against cyclists in any of the ACT community correspondence received. Additionally, feedback on the trial was obtained from Pedal Power, the largest membership-based cycling organisation in the territory. Pedal Power represents the interests of people who ride bicycles in the ACT as well as people who would like to start riding. Pedal Power are supportive of the changes but believe there are three main areas in which the ACT government could assist to improve compliance with minimum passing distance rules: education, signage and enforcement.

To conclude, I reiterate our decision that these changes are now permanent in the territory. I intend to continue to monitor the crash data to determine the extent of the benefits resulting from the safer cycling reforms and to continue to target awareness campaigns. It is important that we recognise that the safer cycling reforms are just a start and that we continue to make it easier, safer and more convenient for people to choose cycling as their preferred method of transport.

Increasing participation in cycling, particularly among underrepresented groups, will help achieve objectives in the areas of public health, sustainable transport and the environment.

Children's rights

Discussion of matter of public importance

MADAM SPEAKER: I have received letters from Miss C Burch, Ms Cody, Mrs Dunne, Mr Hanson, Mrs Kikkert, Ms Lawder, Ms Le Couteur, Ms Lee, Ms Orr and Mr Wall proposing that matters of public importance be submitted to the Assembly. In accordance with standing order 79, I have determined that the matter proposed by Ms Cody be submitted to the Assembly, namely:

The importance of upholding the rights of ACT children.

MS CODY (Murrumbidgee) (3.33): I rise to speak about the importance of upholding the rights of ACT children. Children and young people are the experts in their own lives. They can and do make an important contribution to our community. This week is Children's Week. It is an opportune time for us to reflect on how we uphold the rights of the ACT's children and young people.

The government is committed to upholding the rights of children and young people and takes particular steps to ensure that those who are vulnerable can access services to keep them safe and secure. In this place we have all heard about the ACT government's child development services and child and family centres. These services, throughout the year, undertake broader work to engage the voices of children.

One such example is the Gungahlin CFC Tiddas Aboriginal girls group. It has a cultural and wellbeing focus, with programs decided on by the girls participating. Children are offered the opportunity to provide real-time feedback through feedback forms for the kids and families school holiday program and through smiling face emoji activities. Feedback is also sought directly from children about their experience of the program and any suggestions they have for improvement. Broader community consultation days for Aboriginal and Torres Strait Islander families are also held. The consultation days seek views and opinions about what has worked previously and what has been less successful or relevant to children.

The CFC's approach to working with families is to strengthen the relationships between parents, caregivers and the children. This supports stronger communication, which in turn means that families' capacity to advocate and have a strong understanding of their children's needs is improved. Importantly, for every child who attends a CFC, the centre is a safe space. Children are treated with the utmost respect. Children are listened to and their contributions valued. Our CFCs are a place where children's voices are listened to across the board.

The ACT government ensures that the voice of children and young people in out of home care are safe and are heard. The charter of rights for children and young people in out of home care clearly outlines for children who are not living with their birth parents what they are entitled to expect of their carers, the government and service providers. The charter is based on the United Nations Convention on the Rights of the Child, the ACT Human Rights Act 2004 and the Children and Young People Act 2008. Examples of the rights include: the right to have contact with the people you care about and know about your family and cultural history; the right to go to school; and the right to talk to people about things you do not like or do not understand.

This year, the Community Services Directorate has been working on refreshing the design of this key document to ensure that it remains current and accessible to children and young people. It is crucial that the views of children and young people living in out of home care inform their case plans and the key decisions that affect their lives.

The viewpoint survey is critical in achieving this. Viewpoint is a national questionnaire administered by the Australian Institute of Health and Welfare every two years. It aims to capture key aspects of children and young people's experiences of out of home care and the extent to which the national standards for out of home care are embedded in practice. The ACT participates in data collection and offers the survey to children and young people as part of case management processes. In addition to informing the AIHW's report, child and youth protection services uses the data to improve service delivery and monitor the level of satisfaction of children and young people with how their cases are managed.

This government has also made sure that there is a mechanism for children and young people to inform the direction of the out of home care sector as a whole. In developing the A step up for our kids out of home care strategy for 2015-20, the Create Foundation, a dedicated engagement service for children and young people, are partnered with the directorate in the delivery of A step up for our kids.

The views and wishes of children and young people in out of home care are regularly sought by Create through formal and informal consultations. Create also assist government to provide forums for young people to express their views on the matters that affect them. They assist children and young people at all stages of their out of home care journey, including the vital task of helping young people transition from care. For example, Create's go your own way leaving care kit is a resource for young people aged 15 years and above who are starting to plan for their transition to adulthood and independence.

Recently the government committed to a new initiative to capture the voice of children and young people in out of home care. In the course of this current financial year, the Community Services Directorate, in partnership with the Create Foundation, will be hosting two round tables with children and young people who have had contact with the out of home care system.

The first round table will ask young people what their experience has been of care planning. This will allow young people to identify their views and experience of various elements of care planning, including therapeutic plans, contact plans, care plans and transition plans. The topic will be useful from a policy and practice perspective, as there is potential for change in relation to various areas of care planning, and young people can directly influence these areas considerably.

In 2017, a charter of rights was developed for young people in the Bimberi Youth Justice Centre. The charter of rights was developed with the ACT Human Rights Commissioner, and provides an easy guide for young people at Bimberi, setting out how young people should expect to be treated, and how they should treat others, while at Bimberi.

The purpose of the charter of rights is to strengthen awareness of young people's rights and responsibilities and to reinforce their protection within the justice system. The charter of rights includes such rights as the right to receive proper health care; the right to education and programs; and the right for young people to practise their religion and/or express their culture. It also includes additional information explaining each right in the chapter in more detail.

This week we reflect on the important contribution that children and young people make to the Canberra community. We are reminded that they have important and innovative ideas and the right to voice their opinions and be listened to. Children have the right to a child-safe and child-friendly Canberra. As a community, we have a duty to uphold the rights of children and acknowledge them as future leaders of the ACT.

MS LE COUTEUR (Murrumbidgee) (3.43): I thank Ms Cody for bringing forward this item today. As a Canberran, I am proud of the territory's efforts to uphold all human rights, including, of course, the rights of children. Just yesterday in this chamber I referred to clause 11 of the ACT Human Rights Act, which stipulates:

Every child has the right to the protection needed by the child because of being a child, without distinction or discrimination of any kind.

Of course, children have lots of human rights listed in the act, including the right not to be discriminated against because of race, colour, sex, sexual orientation, language, religion, political or other opinion, national or social origin, property, disability or other status.

I believe that, by and large, we work to the best of our abilities to uphold these rights for all the children in this territory. Even this week in the Assembly, we have seen actions on that. Ms Orr's motion talked about legislation which will soon be developed so that gay children cannot be discriminated against by not being allowed to be admitted to some schools—and potentially adults, gay teachers.

That is not the only thing. Just this morning there was the tabling of the Royal Commission Criminal Justice Legislation Amendment Bill 2018, which demonstrates the ongoing commitment of this Assembly—and in fact throughout Australia, because it is part of a bigger royal commission commitment—to do the right thing by children who have been affected by institutional sexual abuse.

As I said yesterday in the debate on Mrs Kikkert's motion, and I repeat it today, efforts in this space and the apology to victims of institutional child sexual abuse highlight the extent to which child sexual abuse has prevailed in this nation, but it does not include or focus on children who have been sexually abused in the home and it does not focus on abuses that are being perpetrated against children this very day in our name.

This leads me to that. As an Australian, I am ashamed of our treatment of the children and their asylum-seeking parents on Manus and Nauru. Their treatment by the Australian government and its counterparts in Papua New Guinea and Nauru is just wrong. What is being done to these children and their parents in our name is something I am acutely ashamed of. The fundamental question here is: do all children in fact have rights or just those in the ACT?

I appreciate that MPIs have to be written to focus on the ACT, and that is appropriate. But, morally, that actually is the question. And this particular question is particularly relevant to the ACT, because virtually all of the decisions that have led to the ill-treatment of children in Australian immigration detention have been made here in the ACT. So this is an ACT issue relating to children.

The irony of last week listening to an apology from our Prime Minister for the abuse of children in institutions while at the same time he and his colleagues are responsible for perpetuating the worst of worst abuses against children is absolutely sickening.

People who have witnessed these abuses taking place are speaking out. A doctor who worked for Medecins Sans Frontieres on Nauru, Dr Natalia Hverta Perez, has come forward and said:

... the children ... are not eating ... not drinking, anything, they are just laying on the bed, doing nothing ... Childhood shouldn't be like this.

She said, "They don't even communicate with their families ... families sometimes have to take them to the hospital to feed them by needle."

Another Medecins Sans Frontieres doctor, Dr Carolyne Lima, described some suicide attempts. She said:

... they are really trying to kill themselves. The fact they are not succeeding in these attempts doesn't mean that they are not for real. It just means that they are ten and twelve and that they don't know how to kill themselves ...

Indefinite offshore detention is causing ongoing and life-threatening harm to children. The only solution is to evacuate all refugees and asylum seekers immediately. Do we really want a situation where another Prime Minister must give an apology in a decade or two for the way we have treated children in refugee detention centres? It possibly may already be too late to change that.

Moving on from that, another key right of children is their environmental rights. This has been discussed internationally and in the ACT for decades. It seems to depend on the context and the country as to what these rights are. In many countries, they are basically just at the bottom level, ensuring access to reasonably clean air, water and food.

In the ACT, we have been and are privileged enough to be able to focus on the next level of environmental issues for the children of the ACT. Our environmental conditions, in particular levels of pollution, can have greater effects on growing children than on adults, in that growing bodies and brains absorb any contaminants because of the higher rate of growth of those organs. Thus, it is really important that we are not exposing our children to toxic and damaging chemicals or other dangerous substances.

Unfortunately, these chemicals are often unnoticed or dismissed, but their side-effects can be quite damaging in the longer term. This is one of the issues the ACT should look at, in particular, reducing chemicals and materials that offgas in places such as new childcare centres, preschools, schools, hospitals, libraries and other places children frequent. This also goes for the types of paints, furnishings and cleaning products used in these places.

This may not seem that important in the scheme of things, but it is important, if we are looking at the rights of children, to make sure that they have the best start in life and that their developing bodies and organs can develop in the best way. The ACT should look at that if we are really going to look at the rights of children.

Yesterday I spoke about the IPCC's most recent report, which made a very persuasive case in relation to climate change to reduce temperature rise to a maximum of 1.5 degrees. Children of the ACT—and the whole world—are going to suffer from what we and other jurisdictions are not doing to stop and then reverse climate change over the next few years.

All over the world, children are fighting for their right to a safe environment for their future. In 2015, a group of 21 young Americans decided to sue the US government over climate change. Their case is known as *Juliana v US*. The young people argued that their government has “violated the youngest generation’s constitutional rights to life, liberty, and property” by adopting policies that promote the use of fossil fuel despite the fact that governments know that the overwhelming scientific evidence is that fossil fuel emissions which cause carbon dioxide emissions are the primary cause of global warming.

Young people in Colombia, Belgium, India, Pakistan, Norway and Holland are all suing their governments because their governments have manifestly failed to plan and act for a safe climate in the future for these young people. I can only say that I hope they win, because all children should have the right to a safe environment for their future, now and into the future.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Disability, Minister for Children, Youth and Families, Minister for Employment and Workplace Safety, Minister for Government Services and Procurement, Minister for Urban Renewal) (3.52): I am pleased to have the opportunity to speak today on the importance of upholding the rights of children in the ACT, and I thank Ms Cody for bringing forward this matter of public importance.

This week we celebrate Children’s Week, and, as Ms Cody said, Children’s Week is an opportunity to recognise the achievements of children and young people in our community and continue to raise awareness of the needs and rights of children and young people. Each year, all states and territories celebrate Children’s Day on the fourth Wednesday in October. This day is the central focus of a week of celebration centred around the right of children to enjoy childhood.

The theme for Children’s Week in 2018 is children’s views and opinions are respected, asking us to consider how we ensure that children’s voices and their experiences are heard. It also asks us to consider how children’s views are valued and respected by everyone in our community. I particularly want to acknowledge Ms Cody’s contribution in talking about how the Community Services Directorate across child protection and young justice is ensuring that children’s voices and those of young people are heard and listened to.

ACT Children’s Week was officially launched yesterday with more than 200 people coming together to celebrate children and young people in our community. The Children’s Week awards, which I was very pleased to be able to attend, saw the recognition of remarkable individuals who make a difference to the lives of children

and young people in Canberra. Children's Week is a wonderful way to recognise and celebrate children and young people in our community, and I encourage everyone here to attend the events being held across our city this week if you get an opportunity.

As Minister for Children, Youth and Families I seek to listen to our children and young people and try to engage with them as often as I can. I want to hear from children, know what they have to say, listen to what is important to them, and find out what our next generation is passionate about.

As a society we know that many issues affect children and young people. As a government we make sure that we listen to and consider their views. We do this so they can live their best possible lives and so we can make sure that Canberra is a strong, safe and connected community. It is essential that we listen to children and take on board their suggestions on ways to improve our city to create a future for the next generation. These actions and just by listening empower our young and create a city which is responsive and future focused.

The child development service and child and family centres have also held events in Children's Week to raise awareness of children's rights. The Gungahlin Child and Family Centre organised an afternoon tea and get together for Aboriginal and Torres Strait Islander families and a brunch for their multicultural groups, our culture at play and Atfaal. This event also incorporated a mini service expo with stalls and input from health, child development service, migrant youth services, and the office for women. The goal of both events was to engage children and their families in activities that are culturally safe and appropriate and create an environment that celebrates the joy of being a child.

Tuggeranong Child and Family Centre's learn, giggle, and grow group attended the new art exhibition at Tuggeranong Art Centre, which was an interactive exhibition and workshop for toddlers with the theme being playing with colour and nature. An objective was to connect families back to free local community service and centres that promote creative play opportunities for children and families.

The aim of the group for children is to provide a safe and inclusive environment to undertake fun activities that are developmentally appropriate; strengthen relationships between children and their carers; increase social competence, social skills, and problem solving; and provide an opportunity to identify developmental concerns and support appropriate referrals.

The ACT's three child and family centres and child development service also took part in PlayFest, organised by ACT Playgroups and held on 23 October. PlayFest is the ACT Playgroup's annual festival of fun for families with children under school age. Together with a raft of community organisations, government agencies, sporting bodies, and businesses, ACT Playgroups provides families with information and a taste of some of the many children's activities available in the ACT. I understand around 1,500 people attended this event this week. Indeed, I was told it may have been up to 2,000.

The theme of Children's Week—children's views and opinions are respected—reflects the recent ACT government future of education community conversation where almost half of the 5,000 people who participated were students. The student voice in this consultation has had a direct input to the strategy for education in the ACT for the next 10 years.

The education and community services directorates each provide a small grant to the Children's Week committee to support the provision of funding for schools, play groups and childcare centres for events during the week. Some 26 Children's Week grants were awarded to ACT public schools to assist them with holding specific celebratory events.

Many of these events involve inviting parents and grandparents into the school for cross-generational social opportunities. Examples include Black Mountain School, where students are making a short film focusing on the topic of one voice. Chapman Primary School has invited Indigenous artist and author Bronwyn Bancroft to visit the school and meet the school community. And Canberra High School is holding a special social activity for students who are carers.

The Children's Week committee acknowledged at the awards yesterday Arawang Primary School for their project involving students working with the residents of Mirinjani nursing home. In addition, they acknowledged Lara Parkes, a student of Gungahlin College, for her efforts to overcome her personal difficulties and become a leader within the college in support of others. Lara was also the recipient of the Children and Young People Commissioner's award.

Young people know what we as a community need to do to make Canberra make inclusive for everyone. Article 12 of the Convention on the Rights of the Child provides that every child capable of forming his or her own views the right to express those views freely in all matters affecting the child and that their views are given due weight in accordance with age and maturity.

Children have the right to be heard and taken seriously. To this end, among the many other things that have been talked about so far, the ACT government established the ACT Youth Advisory Council as a mechanism to listen to and engage with young people in our community. On 28 of September, I had the privilege of opening the ACT youth assembly held in this place. The ACT Youth Advisory Council was integral in developing and facilitating the assembly, and they created a space where young people could share their ideas and influence change.

Some 116 young people aged from 12 to 25 years from across Canberra attended the youth assembly. Each participant brought with them a different life experience and perspective, but they all had one thing in common: they are passionate about making a difference in our community. The youth assembly adopted a deliberative process to draw out ideas and policy recommendations and encourage direct participation from everyone who attended.

Young people discussed contemporary issues important to them under the themes of youth mental health, homelessness and young people, youth civic participation, equality and equity, and equality and equity for Aboriginal and Torres Strait Islander young people. Youth Advisory Council members co-facilitated each forum to explore creative solutions through group work and discussion. In the final session participants presented their recommendations to the Children and Young People Commissioner, Jodie Griffiths-Cook, and to me in the Assembly chamber.

Hosting the youth assembly is an important investment by this government in young people, demonstrating our commitment to their right to be heard. The Youth Advisory Council is currently compiling a report on the youth assembly, which will include the recommendations made by young people to address the four topics discussed. I look forward to receiving the council's report and working through their recommendations.

This government is committed to working with children and young people to progress issues that matter to them. Young Canberrans are the future of our growing city, and they are also its present. This government looks forward to ongoing dialogue with all children and young people through both formal and informal interactions. We encourage young people to continue to think innovatively and assist us to make this city a place of inclusion for all Canberrans. We commit to listening, as it is their right to be heard.

MRS KIKKERT (Ginninderra) (4.01): Madam Assistant Speaker, thank you for bringing this matter of public importance to the Assembly today. As shadow minister for families, youth and community services, I am likewise concerned about the need to uphold the rights of children in the ACT, including their most basic rights. One of these, as noted in article 25 of the Universal Declaration of Human Rights, is the right to adequate housing. Unfortunately, far too many of the families who reside in my electorate of Ginninderra face constant worries about providing adequate shelter for their children.

Last year a report by Anglicare ACT determined that only 2.3 per cent of rental accommodation in Canberra was affordable for low income families. This was in contrast to four per cent in Sydney and 40 per cent across the other capital cities. Susan Helyar from the ACT Council of Social Service has pointed out the inadequacy of this number in light of the fact that 35,000 Canberra households survive on less than \$500 per week before tax.

Many people would assume that the solution is to be found in public housing stock, but the figures here are likewise less than encouraging. As I noted in the *Canberra Times* earlier this year, whilst public housing accounted for 12.4 per cent of Canberra's total stock in 1991, that figure has declined to 7.1 per cent.

What is the result, Madam Assistant Speaker? It is that the average time an applicant in Canberra now spends on the waiting list for public housing is 983 days. This is just four months short of a full three years on average. Meanwhile, as we all learned just two weeks ago, the ACT government has not updated its forecast of demand for public housing dwellings for more than six years.

But even using the figures from 2012, this government would need to build 2,400 public housing dwellings in the next 14 months if it were to meet the demand expected by 2020. In such a situation, what hope does a low income family in this territory have of finding secure accommodation for their children?

Another basic right that we should expect for our children is access to quality health care. Access to this care should begin long before a child is born. We should therefore all be concerned by the recent report that a woman in labour was denied a bed at Canberra Hospital until just 40 minutes before delivering her son.

As reported in the *Canberra Times*, despite the woman experiencing a high risk pregnancy, her husband, when he rang the hospital saying that his wife was stressed and in pain, was told, "We are too busy at the moment; there are no beds. If you come over, you might just have to sit in the tea room like everybody else." That is exactly what they were forced to do.

This appalling situation highlights the concerns expressed in a letter written in April by senior nurses and midwives at the Centenary Hospital for Women and Children in which they claimed that the lives of mothers and babies are being put at risk by chronic overcrowding within the maternity unit.

Of course, it is not just the maternity unit at Canberra Hospital that is struggling to keep up. We recently learned that more Canberrans are waiting longer than clinically recommended for surgery and to be seen in the emergency department. Especially worrying is that in 2017-18 only 37 per cent of category 3 patients, who are considered to be in potentially life threatening conditions, were seen within the recommended 30 minutes of arrival. This was a sharp decline from 50 per cent one year earlier, which itself is an unacceptably low figure.

None of this bodes well for our children and their right to access quality health care when they need it. Our children should also have a right to quality education in a safe environment. However, this week the fifth report in a row found that the ACT's schools are underperforming when compared with similar schools across the nation. In some cases, students are as much as a year and a half behind their peers in learning. Moreover, I have spoken to constituents who have told me in rather harrowing terms that their children do not feel safe at school, where in some cases bullying seems rampant and school leaders seem incapable of stopping it.

Another right that the ACT's children should have is access to stability. In this chamber yesterday I discussed the known impacts that not having a stable, secure home can have on children and young people. For that reason, this government has openly committed itself to ensuring that children in its out of home care system spend no longer than a maximum of two years in that system. But as we learned during estimates hearings earlier this year, the government estimated that it would reach only 60 per cent of its goal of permanency for children in care in 2017-18, a goal that was already worryingly low.

Lastly, children have a right to be heard. Again, I addressed this important point when speaking to my motion yesterday regarding increasing the visibility of children and young people in the ACT system that responds to violence in the home. The Domestic Violence Prevention Council has recommended strongly that this government needs to do a better job of hearing kids' voices in this space. I again state that I am grateful that preliminary steps have been taken to begin consulting children who have experienced and/or witnessed domestic violence.

At the same time, I suggest that we need to do a better job of listening to children's voices across the board. I am familiar with cases where the wishes of children and young people in out of home care seem to have been ignored. This is serious when it happens, but children have a right to be heard when matters are considerably less serious too.

For example, a girl in an ACT public primary school recently pointed out that the ACT government had replaced the playground equipment in her school that she frequents. However, none of the kids liked this new equipment as it hurt their legs when they used it. She then asked me a very important question: "Why can't they ask us what we want? After all, we are the ones using it." That is a very good question, Madam Assistant Speaker. We should always listen to our children, all the time.

Discussion concluded.

Adjournment

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

That the Assembly do now adjourn.

Yerrabi electorate

MS ORR (Yerrabi) (4.08): I rise to update the Assembly on some of the recent initiatives and events in my electorate of Yerrabi. As some members may be aware, the ACT and federal governments have taken a joint initiative to protect and improve long-term water quality in the ACT. This initiative, known as the ACT healthy waterways project, has a budget of over \$80 million dedicated to 20 infrastructure projects and two research projects across six priority catchments.

The reason I am highlighting the waterways project in the Assembly today is that Yerrabi is home to one of the biggest ACT healthy waterways sites, and we are expecting construction to begin soon. The Evatt wetlands are part of the developing catchment of west Belconnen and are an important element of improving water quality in the ACT.

There are a number of developments happening on this site as part of the project, including the establishment of an urban catchment and extending an existing swale. These terms may not mean much to people who do not carry the same expertise as those undertaking the project but I can assure members and the community that they

mean a lot for the improvement of our waterways. Together, the various components of this project will remove almost 17,000 kilograms of nitrogen, phosphorus and suspended sediment from stormwater before it enters Ginninderra Creek.

The aim of these projects is to improve water quality higher up in the catchment where rainwater becomes stormwater. I look forward to seeing the renewed wetlands on the site once the project is finished, as I am sure the residents of Evatt do too. While Yerrabi is always alive with new and exciting projects like the Evatt wetlands, it is our wonderful local community that has been most active recently.

Earlier this month our FINACT hosted their T-20 cricket tournament final. After a long and successful tournament with 16 teams competing, it came down to PK11 and the Tamil Super Kings. On the day, the Tamil Super Kings just could not keep up with the amazing efforts of PK11 who pulled ahead for their fourth final win in a row. I was lucky enough to attend the awards ceremony and I had a great time celebrating with the group a well-played tournament. I would like to congratulate all the teams and thank FINACT for the opportunities they provide for the local community to come together.

Just this weekend we had a number of great community events, including the Gungahlin Community Festival. The Gungahlin Community Festival hosted several local businesses and community groups with plenty of food, activities and entertainment for families and locals to enjoy. The festival was run in the recently opened Hibberson Street shareway, as well as Gungahlin Place, and showcased how the new space will help activate the Gungahlin town centre. This festival was put together through a large community effort, in partnership with the ACT government, to support local businesses and community groups. I hope, despite the rain, our people managed to make it down to the festival and have a great time.

Saturday was a jam-packed day in Gungahlin as I hosted my north Mitchell grasslands clean-up and community barbecue. A group of volunteers helped me collect in and around the north Mitchell grasslands. Overall we were able to fill seven large bags with waste that would have otherwise impacted the natural wildlife and environment in the area. I would like to thank the Friends of Grasslands ACT for their help in organising the event, Clean Up Australia for providing us with resources for volunteers and members of the Yerrabi community who turned up on the day to help out.

Finally, on Sunday afternoon I joined the Deputy Chief Minister at the official naming of Yunggaballi Park in Moncrieff. The name Yunggaballi continues the musical theme of Moncrieff. In the traditional language of the Ngunnawal people, Yunggaballi means sing. I was joined on the day by local residents who came out to celebrate the naming of one of Moncrieff's newest community spaces.

Whether it is government projects or community events and initiatives, Yerrabi is always full of excitement. As a proud resident and local member, I look forward to continuing to update the Assembly on the great things that are happening in Yerrabi.

Bryan Pratt—tribute

MS LAWDER (Brindabella) (4.12): Today, I rise to pay tribute to the life and passing of Bryan Harry Pratt. Tributes have poured in from across the country in the past week for Canberra fishing icon Dr Bryan Pratt who passed away last month at the age of 81 after losing his battle with throat cancer. The respected forest pathologist, administrator, author, family man, fisherman and tackle shop owner was a long-time *Canberra Times* columnist and passionate about this capital's waterways.

Dr Pratt spent the last 30 years of his life dedicated to passing on advice and teaching young anglers how to fish. His book, *The Canberra Fisherman*, first published in 1979, was regarded as the bible for Canberra anglers.

Bryan moved to Canberra in 1965 to work for the Commonwealth Bureau of Environmental Studies. He was a lecturer in the forestry department at ANU before moving to the ACT parks and conservation service, then still part of the federal government. In that role he variously administered fisheries, forestry, city parks and wildlife. The parks service, and his office, was then located in the building now occupied by the ACT Legislative Assembly. Bryan retired in 1988 to set up his tackle shops and do what he loved best, going fishing.

Bryan will be remembered by many Canberrans, and Canberra anglers in particular, for successfully campaigning to have Googong Dam, just outside the ACT, opened to recreational fishing in the 1980s. Bryan argued that because water went into tertiary treatment after it left the reservoir it should be safe for the population; there should be no harmful bacteria, viruses or nematodes or other organisms coming out of Googong. Bryan would probably love to be remembered as the driving force behind Googong Dam becoming a recreational fishing spot. He would certainly have a yarn to tell you about it.

As a fellow Canberra angler said, "I have lost a lifetime mate, a legendary icon of Canberra, a true gentleman and a damn great fisherman." My condolences to his family and friends. Vale, Bryan Harry Pratt.

Question resolved in the affirmative.

The Assembly adjourned at 4.15 pm until Tuesday, 30 October 2018, at 10 am.

Schedules of amendments

Schedule 1

Government Procurement (Secure Local Jobs) Amendment Bill 2018

Amendments moved by Mr Wall

1

Clause 2 (1)

Page 2, line 5—

omit

15 January 2019

substitute

1 July 2019

2

Clause 2 (3)

Page 2, line 13—

omit

12 months

substitute

18 months

Schedule 2

Government Procurement (Secure Local Jobs) Amendment Bill 2018

Amendments moved by the Minister for Employment and Workplace Safety

1

Clause 4

Proposed new section 22E, definition of *tenderer*

Page 4, line 5—

omit

proposal

2

Clause 4

Proposed new section 22E, definition of *tenderer*

Page 4, line 6—

after

response

insert

in relation

3

Clause 4

Proposed new section 22E, definition of *tenderer*

Page 4, line 7—

omit

proposal

4

Clause 4

Proposed new section 22F (1) (b) (i)

Page 5, line 6—

after

construction work

insert

(other than excluded services or works)

5

Clause 4

Proposed new section 22F (2) and note

Page 5, line 16—

omit

6

Clause 4

Proposed new section 22F (3), definition of *ANZSIC*, new note

Page 5, line 22—

insert

Note The ANZSIC is available free of charge at www.abs.gov.au.

7

Clause 4

Proposed new section 22F (3), new definition of *excluded services or works*

Page 5, line 22—

insert

excluded services or works means the following:

- (a) information media and telecommunications services within the meaning of the ANZSIC, Division J;
- (b) financial and insurance services within the meaning of the ANZSIC, Division K;
- (c) rental, hiring and real estate services within the meaning of the ANZSIC, Division L;
- (d) professional, scientific and technical services within the meaning of the ANZSIC, Division M.

8

Clause 4

Proposed new section 22G (1)

Page 6, line 5—

after

response

insert

in relation

9

Clause 4

Proposed new section 22G (1)

Page 6, line 6—

omit

proposal

10

Clause 4

Proposed new section 22G (1) (b)

Page 6, line 10—

omit

proposal

11

Clause 4

Proposed new section 22G (1) (b)

Page 6, line 10—

omit

a value

substitute

an estimated value

12

Clause 4

Proposed new section 22G (2)

Page 6, line 16—

after

responses

insert

in relation

13

Clause 4

Proposed new section 22G (2)

Page 6, line 17—

omit

proposal

14

Clause 4

Proposed new section 22H (1)

Page 8, line 5—

omit

proposal or procurement

15

Clause 4

Proposed new section 22H (3)

Page 8, line 15—

omit

proposal or procurement

16

Clause 4

Proposed new section 22H (3)

Page 8, line 17—

omit

for the proposal

17

Clause 4

Proposed new section 22ZD (2) (b)

Page 20, line 6—

omit

procurement proposals and

18

Clause 6

Proposed new section 103 (1) (a)

Page 21, line 17—

omit

proposal

19

Clause 6

Proposed new section 103 (1) (b)

Page 21, line 19—

omit

proposal

20

Clause 6

Proposed new section 103 (2), definition of *new procurement proposal*

Page 22, line 7—

omit the definition, substitute

new procurement means—

- (a) a procurement (other than a procurement under an existing arrangement) started on or after the commencement day; or
- (b) a procurement started on or after 15 January 2020 under an existing arrangement.

21

Clause 9

Proposed new dictionary definition of *tenderer*

Page 25, line 3—

omit

proposal

22

Schedule 1

Amendment 1.1

Proposed new section 22F (1) (a) (i)

Page 26, line 10—

omit

services or works prescribed by regulation

substitute

excluded services or works

23

Schedule 1

Amendment 1.1

Proposed new section 22F (1) (b) (i)

Page 26, line 15—

after

construction work

insert

(other than excluded services or works)

24

Schedule 1

Amendment 1.1

Proposed new section 22F (2)

Page 27, line 1—

omit proposed new section 22F (2), substitute

- (2) The Legislation Act, section 47 (3) and (6) does not apply to the ANZSIC applied, adopted or incorporated in a regulation under this section.

25

Schedule 1

Amendment 1.1

Proposed new section 22F (3), new definition of *excluded services or works*

Page 27, line 7—

insert

excluded services or works means services or works prescribed by regulation.

Answers to questions

Hospitals—staff safety (Question No 1566)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 3 August 2018:

- (1) How many staff were assaulted in the course of their duties, for each operative area, between 1 January 2017 and 30 June 2018 by (a) members of the public and (b) other staff.
- (2) In how many of these assaults were drugs and alcohol a factor.
- (3) What drugs were most often a contributing factor.
- (4) Which health occupation was most likely to have members assaulted in the course of their duties.

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

Question on Notice (QON) 1567, which was responded to by the Minister for Mental Health on 31 August 2018, has been revised.

ACT Health identified that the staff assault data provided in the response was incomplete and therefore a revised QON has now been submitted. The data provided was sourced from the Riskman Staff Incident System utilised by ACT Health to capture all Work Health and Safety (WHS) Incidents. ACT Health follows the Type of Occurrence Classification System (TOCS) as specified by Safe Work Australia to classify WHS incidents in Riskman.

The figures provided in the initial response to QON 1567 were identified using the TOCS classification code of 'being assaulted by a person or persons'. It was subsequently identified that some incidents coded in TOCS as 'mental stress' also involved a staff assault. These incidents were coded in this way as mental stress was considered a more serious outcome than the physical impact from the incident.

The revised version of QON 1567 provides updated figures which capture all staff assault incidents captured on Riskman.

The answer to QON 1566 reflects these updated figures.

- (1)(a) Staff Assaults by Division (Operative Area) by members of the public (including patients and relatives) from 1 January 2017 – 30 June 2018 extracted from Riskman Incident System:

Business Support	1
Cancer Ambulatory and Community Health Support	3
Clinical Support Services	35
Critical Care	37
Health Infrastructure Services	1

Medicine	34
Mental Health, Justice Health, Alcohol and Drug Services	129
Canberra Hospital and Health Services	1
Population Health	1
Rehabilitation, Aged and Community Care	63
Pathology	1
Surgery and Oral Health	26
Women, Youth and Children	8
Total	340

(b) Other staff — Zero incidents (recorded on Riskman, the only source for the recording of staff incidents).

(2) This data is not recorded.

(3) This data is not recorded

(4) Nurses.

Canberra Hospital—radiology department (Question No 1568)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 3 August 2018:

- (1) In relation to the preliminary radiology training accreditation report, what specific criteria did The Canberra Hospital (TCH) radiology department fail to meet.
- (2) What specific criteria did the radiology department pass.
- (3) What specific recommendations has the preliminary report made.
- (4) Which recommendations has ACT Health (a) agreed to, (b) not agreed to and (c) noted.
- (5) In relation to each agreed recommendation (a) what action will ACT Health take and (b) in what timeframe.
- (6) What progress has TCH made in implementing these recommendations.
- (7) In relation to each not agreed and each noted recommendation, what explanation did ACT Health give to support that decision.
- (8) When will the preliminary report be finalised.
- (9) Will the final report be released publicly; if not, why not.
- (10) What is ACT Health's longer-term plan to resume the level A accreditation it had held for the previous 25 years.

(11) What is the timeframe for that plan.

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

- (1) The radiology accreditation report is not a pass/fail assessment and ACT Health did not fail to meet criteria. The college accreditation committee noted that the radiology department had multiple significant issues, which if continued would seriously impact on the quality of training, and that immediate action was required. The report documents four levels of outcomes ranging from A to D. The radiology department was rated D for eight of the twelve standards. The accreditation standards for education, training and supervision of radiology trainees is available at <https://www.ranzcr.com/search/accreditation-standards-for-clinical-radiology-training>
- (2) One of the twelve standards was given an outcome of B which is satisfactory in most areas, and three were given a C, which relates to significant issues noted which must be corrected before accreditation can continue long-term.
- (3) The College considers the full report to be privileged. In the interests of staff privacy and the impact that formal release of Recommendation 1 could have on some staff members, I am prepared to table 15 of the 16 recommendations in their entirety (Attachment A).
- (4) Canberra Hospital agreed to meet all the recommendations including the undisclosed recommendation so as to improve the training environment for radiology trainees and thereby move rapidly towards returning the department to a level A accreditation.
- (5) ACT Health took immediate action upon receiving the preliminary report and had commenced action on verbal recommendations the day following the accreditation visit. The Radiology Department is working towards meeting all the recommendations as its highest priority.

ACT Health will provide a Review Progress Report to RANZCR outlining how their recommendations are being met.
- (6) Arrangements are in place to meet all of the College's sixteen recommendations. I am advised by the Chief Medical Officer that the Radiology Department has already completed 11 of the 16 recommendations.
- (7) Not applicable.
- (8) The preliminary report has now been finalised.
- (9) The College considers the full report to be privileged. In the interests of staff privacy and the impact that formal release of Recommendation 1 could have on some staff members, I am prepared to table 15 of the 16 recommendations in their entirety (Attachment A).
- (10) ACT Health anticipates moving towards and returning to a Level A accreditation after meeting the College's recommendations satisfactorily.
- (11) Twelve months.

Attachment A**RANZCR Recommendations**

1. Establish System Focused Rotations to ensure that trainees in their 4th and 5th years of training have exposure to a systems-based training environment. Rotations should be for 4-6 sessions a week, for 3-month blocks in 4th year, and 3 or 6 month blocks in 5th year. Further details are available at RANZCR *Systems Focused Rotations, and Implementation of Systems Focused Rotations*
2. Immediate implementation of a formal teaching program for trainees aligned to the Clinical Radiology Training Program Curriculum.
3. First year trainees should complete teaching in Key Conditions, with site based assessment, before they commence on call work.
4. Development and delivery of a departmental orientation program with relevant documentation for all trainees commencing at Canberra Hospital.
5. A more formalised and regular teaching schedule with protected time blocked off in the trainee's roster each week to allow for tutorials which are aligned to the curriculum. Report writing skills, patient safety and non-medical expert roles (e.g. communication skills) should also be incorporated into this teaching
6. Provide further information related to the details and timelines of the purchase and installation of the new equipment including the MR machines and US machines to the College.
7. Support the Directors of Training attendance at College annual Directors of Training Workshops to ensure they are up to date with changes to the training program.
8. Immediately seek to recruit to the two vacant consultant positions to ensure that the department has appropriate levels of resourcing to ensure safe practice for patients and trainee supervision.
9. Ensure recruitment processes are reviewed to align with the College's Training Selection Guidelines. Provision of documentary information related to the upcoming 2018 recruitment period is to be provided to trainees well in advance of the process and provided to the College.
10. Where appropriate and recommended, put into practice the College's policies related to trainee performance, progression and Trainees in Difficulty including documentation and development of learning or remediation plans.
11. Provide further information and a timeline of the return of the currently outsourced Paediatric x-rays to the department to support the trainees Experiential Training Requirements.
12. Review the mechanisms currently in place for consultant rostering and leave arrangements to ensure adequate consultant cover to provide a safe training environment.
13. The Clinical Director and Directors of Training should work together with the Executive and Chief Medical Officer to develop strategies to improve the culture within the department.

14. Canberra Hospital needs to establish a network including private and rural sites to enable trainees to rotate during their training. The establishment of linked accreditation with Breast Screen ACT is also recommended to ensure trainees receive sufficient exposure to Breast Imaging.
15. Trainees' rosters need to allow all trainees to meet the Experiential Training Requirements. In particular insufficient access to the areas of Breast, Nuclear Medicine, Obstetrics and Gynaecology as well as Paediatrics are of concern.

Domestic animal services—dogs (Question No 1580)

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 3 August 2018 (*redirected to the Minister for City Services*):

- (1) How many dog attacks have been reported to Domestic Animal Services (DAS) in 2017-2018 broken down by month.
- (2) Of the attacks in part (1) how many (a) involved an attack on a person and (b) resulted in dogs being seized or held by DAS.
- (3) Of the dogs seized in part (2)(b), how many (a) had previously been held or seized by DAS, (b) were not registered when seized by DAS, (c) were returned to their owners and (d) were put down by DAS.

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

- (1 – 2) In 2017-18, 485 dog attacks were reported. The table provides a breakdown of attacks on a person and the number of dogs seized. Due to a change in the way information is collected, a breakdown between these categories for June 2018 is unavailable.

Month	Attack on animal	Attack on person	Attack on person & animal	Attacks reported per month	Dogs seized per month
July 2017	18	9	6	33	15
August 2017	18	11	1	30	25
September 2017	19	7	3	29	20
October 2017	24	17	1	42	21
November 2017	25	18	10	53	19
December 2017	25	6	5	36	10
January 2018	30	12	8	50	17
February 2018	16	15	4	35	25
March 2018	23	8	5	36	22
April 2018	33	15	6	54	6
May 2018 (to 23/5)	21	15	5	41	11
June 2018	N/A	N/A	N/A	46	22
Total				485	213

- 3 (a) I have been advised by my directorate that the information sought is not in an easily retrievable form, and that to collect and assemble the information sought solely for the purpose of answering the question would require a considerable diversion of resources.
- (b) See above.
- (c) 191 dogs were returned (including dogs returned under control order or a dangerous dog licence).
- (d) 22 dogs. (In the 2018 calendar year to 2 September, 154 dogs had been seized in relation to attack incidents and 78 have been declared dangerous, or released on control orders, or euthanised).

Domestic animal services—staffing (Question No 1586)

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 3 August 2018 (*redirected to the Minister for City Services*):

- (1) In relation to the Minister's answer to question on notice No 1492, relating to Domestic Animal Services (DAS), of the 36 positions listed in the Licensing and Compliance Organisational structure as at June 2018 which positions by position number were the two positions created with new funding allocated in this year's budget.
- (2) Where did the funding for the (a) additional Senior Ranger (Education and Victim support) position and (b) two additional Ranger (Ops support) positions come from, and in both cases, were they pre-existing positions that were relocated from elsewhere; if so, where were they relocated from.
- (3) Where did the funding for the third additional DAS Ranger position come from, and was it a pre-existing position that was relocated from elsewhere; if so, where was it relocated from, assuming that the new funding was used for two additional DAS Rangers.
- (4) If there was no new funding for more than two additional positions in DAS why and how are there now eight new positions.
- (5) Were there any vacant positions prior to filling the new positions in DAS after October 2017.
- (6) Can the Minister provide the duty statements and indicate which duty statements apply to which position number/s for the following roles in DAS; (a) Ranger in Charge, (b) Senior Ranger, (c) Senior Ranger Education and Victim Support, (d) DAS Ranger, (e) Ranger Animal Behaviour, (f) Kennel Master and (g) Ranger Ops Support.
- (7) What are the duty statements for the following roles in the Investigations Unit; (a) Ranger in Charge, (b) Senior Ranger Investigations.

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

- (1) Positions P39668 and P39669.
- (2) These positions were newly created and funded through internal reallocation of TCCS recurrent funding.

This position was newly created and funded through internal reallocation of TCCS recurrent funding.
- (4) Funding of six new positions was achieved through internal reallocation of TCCS recurrent funding.
- (5) No.
- (6) Please see documents attached.
- (7) Please see documents attached.

(Copies of the attachments are available at the Chamber Support Office).

Municipal services—rangers (Question No 1611)

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 3 August 2018 (*redirected to the Minister for City Services*):

- (1) How many court actions or fine for offences were handed down in (a) 2014, (b) 2015, (c) 2016, (d) 2017 and (e) 2018, for (i) breaches of the *Public Unleased Land Act 2013*, (ii) Domestic Animal Services, (iii) breaches of the Tree Protection Act 2005, (iv) trespass, (v) littering, (vi) abandoned vehicles, (vii) overhanging vegetation, (viii) other major categories and (ix) illegal commercial dumping.
- (2) What are the legal instruments under which City Rangers are authorised to act.
- (3) What are the categories of jobs recorded by Access Canberra for City Rangers.

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

- (1) In relation to court actions, I have been advised by my Directorate that the information sought is not in an easily retrievable form and that the data provided is based on the best available information.

The information regarding fines and warnings is listed below in the format of fines/warnings. Please note this relates only to action taken by TCCS, action may have been taken by other agencies where relevant to the specific circumstances of the matter.

	Fines/warnings				
Act/issue	2014	2015	2016	2017	2018
<i>Public Unleased Land Act 2013</i>	31/0	8/0	0/0	8/9	1/0
<i>Domestic Animals Act 2000</i>	189/0	87/0	63/0	112/55	178/254
<i>Tree Protection Act 2005</i>	0/0	0/0	0/0	0/0	0/0
<i>Trespass on Territory Land Act 1932</i>	0/0	0/0	0/0	0/0	0/0

Act/issue	Fines/warnings				
	2014	2015	2016	2017	2018
Littering/illegal dumping	14/4	16/12	5/0	2/4	2/2
Abandoned vehicles	0/0	0/0	0/0	0/0	0/0
Overhanging vegetation	0/0	0/0	0/0	0/0	0/0
Other	0/0	0/0	0/0	0/0	0/0

- (2) City Rangers are authorised under a number of Acts including the *Public Unleased Land Act 2013*, the *Litter Act 2004*, the *Trespass on Territory Land Act 1932*, the *Tree Protection Act 2005*, the *Crimes Act 1900* and the *Domestic Animals Act 2000*.
- (3) In general terms, City Rangers may be tasked with jobs related to the following categories on the Access Canberra website: abandoned vehicles, election campaign signage, litter and illegal dumping, nature strips and shopping trolleys. However, the allocation of jobs triaged by Access Canberra depends on the nature and details of the issue and City Rangers may also be involved in other categories where it is relevant to their role and responsibilities.

Municipal services—drinking water stations (Question No 1632)

Ms Lee asked the Minister for Transport and City Services, upon notice, on 3 August 2018 (*redirected to the Minister for City Services*):

- (1) How many local shops have drinking water stations installed in (a) Belconnen, (b) Gungahlin, (c) Inner North, (d) Inner South, (e) Molonglo Valley, (f) Weston Creek, (g) Woden Valley and (h) Tuggeranong.
- (2) How many residents' groups/local community associations/private individuals have sought installation of a drinking water station at a local shop and at which shops.
- (3) Is there an installation plan for the rollout of water stations similar to those in the Canberra CBD in local shopping centres; if so, what is the (a) schedule for installation by suburb and (b) projected cost per suburb; if not, why not.

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

- (1) The local shops in the following areas have access to drinking water stations:
 - a. Belconnen – 8
 - b. Gungahlin – 2
 - c. Inner North – 3
 - d. Inner South – 6
 - e. Molonglo Valley – 0
 - f. Woden / Weston Creek - 12
 - g. As above
 - h. Tuggeranong – 1
- (2) No requests for additional drinking water stations at shops were received in the last financial year.
- (3) There is no specific program for the installation of drinking fountains in shopping centres within TCCS. However the ACT Government is considering a range of

options to continue improvements to local shops which may incorporate drinking water stations.

**Education—NAPLAN testing
(Question No 1635)**

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 17 August 2018:

- (1) How many ACT Government schools participated in this year's NAPLAN testing.
- (2) Were schools able to decide whether they used paper or online testing.
- (3) How many schools chose to use paper rather than online testing.
- (4) What were the reasons for that.
- (5) How many schools conducted all their tests online and (a) which schools did not and (b) what was the reason they did not.
- (6) Did any school intentionally use both online and paper system; if so (a) which schools and (b) what was the reason for using both systems.
- (7) Did any school intend to deliver the tests online but were forced to revert to paper testing; if so, which schools and what year levels were involved.
- (8) What was the reason the online system was not available.
- (9) Did any eligible school not participate in this year's NAPLAN testing; if so which schools.
- (10) What was the reason for their non-participation.
- (11) How many eligible ACT Government school students participated in the testing.
- (12) How many students were granted exemptions.
- (13) What schools do those students attend.
- (14) In what years are those students.

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

- (1) NAPLAN testing of year 3, 5, 7 and 9 students took place in a total of 57 ACT public schools in 2018. Early childhood schools (p-2) and colleges (11-12), with the exception of students at the Dickson College Secondary Introductory English Centre, do not have eligible students.
- (2) Following extensive familiarisation and preparation activities, the ACT Government and the Catholic Education Office determined that all ACT public schools (excluding specialist schools) and all Catholic systemic schools with years 3, 5, 7 or 9 students

were ready to transition to NAPLAN Online in 2018. Seven independent schools individually determined that they were ready to transition to NAPLAN Online in 2018.

- (3) With the exception of all year 3 writing assessments (which was only available on paper for all schools in line with nationally agreed provision), 10 ACT independent Schools chose to use paper testing for 2018.
- (4) A number of individual independent schools determined that they were not ready to transition to NAPLAN Online in 2018.
- (5) A total of 106 ACT schools conducted online testing.
 - a) One student at one ACT public specialist school (which was not scheduled to transition to NAPLAN Online in 2018) undertook paper testing.
 - b) Ten independent schools undertook paper testing. A number of individual independent schools determined that they were not ready to transition to NAPLAN Online in 2018.
- (6) No school intentionally planned to use both online and paper testing other than for the completion of all year 3 writing assessments which was only available on paper.
- (7) One ACT independent school was supported to revert to paper testing for a year 3 cohort and part of a year 5 cohort.
- (8) The NAPLAN Online system remained available and stable throughout the testing window. The reason for reverting to paper testing was due to local technical issues at that school.
- (9) No.
- (10) Not applicable.
- (11) A total of 12,099 eligible ACT Government school students sat NAPLAN testing in 2018.
- (12) Students can be exempted from one or more NAPLAN tests if they have a significant or complex disability, or if they are from a non-English-speaking background and arrived in Australia less than one year before the tests. However, exemption is not automatic and parents may choose for their child to participate. Support can be provided for students with disability to participate in the NAPLAN tests. Exemptions were granted to 387 students.
- (13) At least one student exemption was processed for 79 out of 107 schools.
- (14) Exemptions were granted for students in years 3, 5, 7 and 9.

Transport—park-and-ride facilities (Question No 1639)

Ms Le Couteur asked the Minister for Transport and City Services, upon notice, on 17 August 2018 (*redirected to the Minister for Transport*):

- (1) How many spaces does the Mawson Park and Ride facility have.

- (2) What is the current utilisation rate.
- (3) Is demand growing over time.

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

- (1) The Mawson Park & Ride facility has 64 signposted Park & Ride car parking spaces, 4 Disabled parking spaces, 85 non signposted car parking spaces and 24 bike parking spaces in the secure bike storage facility.
 - (2) Based on recent observation, the Park & Ride carpark spaces are between 90% and 100% occupied between the hours of 8:00am and 5:00pm on weekdays and up to 30% occupied at weekends.
 - (3) Observations also suggest that use of this carpark has been steadily increasing.
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Roads—Ginninderra Drive (Question No 1643)

Mrs Kikkert asked the Minister for Transport and City Services, upon notice, on 17 August 2018 (*redirected to the Minister for Roads*):

- (1) Are there any plans to construct a bypass lane for Ginninderra Drive, extending from Flynn to Charnwood as a means to reduce traffic congestion and improve road safety at this intersection; if so, what is the current progress of this plan and what is the estimated timeframe for its completion, if not; why not and will the Government consider a bypass lane for Ginninderra Drive as a future upgrade.
- (2) Has the Government considered the possibility of constructing a bypass lane at this location in the past; if so, what were the results of this consideration.

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

- (1) Due to current usage levels, there is no immediate plan to undertake the duplication of Ginninderra Drive from Florey Drive to its termination west of Archdall Street. The duplication of this section of Ginninderra Drive will be reviewed with the timing of delivery of the Ginninderry Development.
 - (2) Duplication for this section of Ginninderra Drive has not been considered in the past due to existing traffic volumes not warranting an upgrade. Signalisation of Ginninderra Drive and Tillyard Drive and Tillyard Drive and Lhotsky Street is planned and was funded as part of the 2018-19 Capital Works program. The signalisation will improve safety and network operation.
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Children and young people—adoptions (Question No 1645)

Mrs Kikkert asked the Minister for Disability, Children and Youth, upon notice, on 17 August 2018 (*redirected to the Minister for Children, Youth and Families*):

- (1) How many applications did the Government receive for the year 2018 (to date) and each year for the past five years for the following (a) adoption applications, (b) intercountry adoption applications and (c) step parent adoption.
- (2) How many times were each of the following services provided by Child and Youth Protection Services for the year 2018 (to date) and each year for the past five years for the following (a) information seminar, (b) administrative fee, (c) home study, (d) post placement visits and reports and (e) step parent report.
- (3) On average, how often are the following services provided to each applicant by Child and Youth Protection Services, (a) information seminar, (b) administrative fee, (c) home study, (d) post placement visits and reports and (e) step parent report.
- (4) What was the total amount of adoption fees received by the Government for the year 2018 (to date) and each year for the past five years.
- (5) How many (a) adoption applications, (b) intercountry adoption applications and (c) step parent adoption applications were granted for the year 2018 (to date) and each year for the past five years.
- (6) How many (a) adoption applications, (b) intercountry adoption applications and (c) step parent adoption applications were rejected for the year 2018 (to date) and each year for the past five years.

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

- (1) The table below details the total number of applications for intercountry adoption received over the past six financial years.

Total number of applications for intercountry adoptions received per financial year	
Financial year	Intercountry adoption applications
2018–2019*	0
2017–2018	5
2016–2017	1
2015–2016	4
2014–2015	3
2013–2014	4

**Data as at 24 August 2018.*

The process for intercountry adoption requires an application form to be submitted to commence the process.

For local and known (including step parent) adoptions, the process towards adoption is significantly different to intercountry adoption. People interested in local or known adoption make an initial inquiry, participate in interviews and initial assessment, and attend evaluation seminars in order to understand the process and make decisions about whether adoption is an avenue they wish to pursue.

This data is currently not reported and would require significant resources to review individual case files and compile data.

- (2) The table below details the number of times each of the following services were provided by Child and Youth Protection Services over the past six financial years.

Total times services provided per financial year					
Financial year	(a) Information seminar	(b) Administrative fee	(c) Home study	(d) Post placement visits and reports	(e) Step parent report
2018–2019*	0	0	0	0	0
2017–2018	2	2	4	8	0
2016–2017	1	1	2	4	1
2015–2016	2	4	3	**	1
2014–2015	2	2	2	**	2
2013–2014	2	3	4	**	0

*Data as at 24 August 2018.

**Preparing this data within nominal timeframes would require resources to be diverted from other business imperatives.

- (3) The table below details the number of times each service is typically provided by Child and Youth Protection Services to an adoption applicant.

Number of times services provided				
(a) Information seminar	(b) Administrative fee	(c) Home study*	(d) Post placement visits and reports**	(e) Step parent report
1	1	1	4	1

*The home study report is updated every two years as per prescribed suitability requirements.

**Intercountry adoptions only.

- (4) The table below details the total revenue received by the Government for adoptions over the past six financial years.

Total revenue received through adoptions fees	
Financial year	Adoption revenue
2017–2018	7,830.40
2016–2017	6,330.27
2015–2016	9,845.47
2014–2015	23,901.17
2013–2014	29,499.93
2012–2013	12,827.41
Total	90,234.65

Fees collected for the 2018–19 financial year are not yet available.

- (5) The table below details the total number of applications granted for local adoption, intercountry adoption and known adoption, for the past five financial years. This is data that is reported in AIHW reports.

Total number of applications granted			
Financial Year	(a) Local Adoption*	(b) Intercountry** Adoption Applications	(c) Known***
2017–2018	0	2	5
2016–2017	0	3	7
2015–2016	2	1	2
2014–2015	0	2	7
2013–2014	1	10	6

**Local adoptions are adoptions of children who were born or permanently residing in Australia before the adoption, are legally able to be placed for adoption, but generally have had no previous contact or relationship with the adoptive parent(s).*

***Intercountry adoptions are adoptions of children from countries other than Australia who are legally able to be placed for adoption but generally have had no previous contact or relationship with the adoptive parent(s). Expatriate adoptions are not included in the numbers for intercountry adoptions.*

****Known child adoptions are adoptions of children who were born or permanently residing in Australia before the adoption, who have a pre-existing relationship with the adoptive parent(s), and are generally not able to be adopted by anyone other than the adoptive parent(s). Known child adoptions include adoptions by step-parents, other relatives and carers.*

- (6) There were no formal adoption applications rejected. It should be noted that whilst there is no record of any formal applications being rejected, some applicants chose not to proceed to making a formal application after seeking legal advice, information from the Family Law Court, or after further discussion with adoptions staff within Child and Youth Protection Services.

Asbestos—block remediation (Question No 1651)

Mr Coe asked the Minister for Planning and Land Management, upon notice, on 17 August 2018:

Can the Minister provide the number of complaints made to the Government in relation to trees located on Mr Fluffy blocks in the following financial years (a) 2012-2013, (b) 2013-2014, (c) 2014-2015, (d) 2015-2016, (e) 2016-2017, (f) 2017-2018 and (g) 2018-2019 to date.

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

Whilst the Asbestos Response Taskforce provides general information about trees that may need to be removed in order to facilitate the safe and efficient demolition of a Mr Fluffy affected property, enquiries or complaints about regulated trees or tree management are referred to the Tree Protection Unit within Transport Canberra and City Services (TCCS). I am advised by TCCS that their records do not capture specific complaints related to trees on Mr Fluffy blocks.

**ACT Health—Director of Medical Imaging
(Question No 1681)**

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 17 August 2018:

- (1) How many times was the position for Director of Medical Imaging advertised in the ACT Government Gazette between 1 July 2016 and 30 June 2018.
- (2) Can the Minister provide copies of the notices; if so, can the Minister provide copies of the job information kit for applicants, including, but not limited to, job description, selection criteria, guide to making an application, reporting lines, application deadline date, and salary package.
- (3) Can the Minister provide the following if the classification for the position changed between any of the notices, (a) reasons for the change, (b) who proposed the change and (c) who authorised the change.
- (4) How many applications were received for each notice.
- (5) Were interviews conducted for each notice; if not, why not.
- (6) Was anyone acting in the role of Director of Medical Imaging at any time during the period 1 July 2016 and 30 June 2018; if so, between what dates was the person acting in the role and was the person acting in the role appointed to the role permanently; if so, on what date was the permanent appointment made.

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

- (1) On three occasions.
- (2) Yes. Relevant documents are attached.
- (3) The classification for the position changed.
 - a. The Director Medical Imaging was advertised as a Senior Officer Grade A position in April 2017. The recruitment process was not finalised as the then Director-General of ACT Health considered the position was more appropriately filled at the Executive 1.3 level to strengthen governance and accountability.
 - b. The then Director-General proposed this change of classification to the Head of Service.
 - c. The Head of Service approved the revised classification as part of a broader review of senior positions within ACT Health.
- (4) Six applications were received for the position as advertised in April 2017. Two applications were received for the position as advertised in June 2017. Two applications were received for the position as advertised in October 2017.
- (5) No interviews were conducted in relation to the position as advertised in April 2017 as the process was discontinued when the role was upgraded to the Executive 1.3 classification. No interviews were conducted when the process was advertised in June 2017 due to neither of the two applicants satisfying the mandatory qualification

requirements. Interviews were conducted for the position as advertised in October 2017.

- (6) Yes. An acting Director of Medical Imaging was in the role from 1 July 2016 to 25 February 2018. Following a recruitment process, the individual was appointed to the role on a long term executive contract, which commenced on 26 February 2018.

(Copies of the attachments are available at the Chamber Support Office).

Animals—dangerous dogs (Question No 1683)

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 24 August 2018 *(redirected to the Minister for City Services)*:

- (1) How many dog attacks have there been on (a) humans and (b) domestic animals in each suburb, for each year, for the past 10 years including this year.
- (2) How many of the dogs that attacked (a) humans and (b) domestic animals were previously known to Domestic Animal Services prior to the incident for each year for the past 10 years including this year.
- (3) How many dogs have been designated as a dangerous dog for each year for the past five years, and how many of these (a) dangerous dogs have been put down, (b) dogs have been removed and (c) dogs have been sent back with their owner.
- (4) How many dogs are registered as dangerous dogs in the ACT as of 16 August 2018.
- (5) How many have been registered as a dangerous dog for each year for the last 10 years including this year.

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

- (1) - (5) I am advised that the historical information requested is not in an easily retrievable form and may not be available. Investigation into the available data and preparation of a response to these questions will require significant time and resources. The required resources are currently fully allocated to service delivery.

Current data related to dog attacks was provided in response to recent Questions on Notice number 1580.

Building—code compliance (Question No 1684)

Ms Lawder asked the Minister for Planning and Land Management, upon notice, on 24 August 2018 *(redirected to the Minister for Building and Quality Improvement)*:

- (1) How many section 62 notices of the Building Act 2004 has the construction occupations registrar handed out each year, and in each suburb for the last five years.

- (2) What were the most common reasons for section 62 notices to be given.
- (3) Has there been instances where section 62 notices have been ignored; if so, how many instances, and when.
- (4) What action is taken against a building occupier in circumstances where section 62 notices have been ignored.

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

- (1) Access Canberra, and its predecessor organisations, has records of issuing the following notices under section 62 of the *Building Act 2004* (the Act) for the following years:

Year	Notices
2013	4
2014	9
2015	4
2016	3
2017	3
2018	4
Total	27

Access Canberra, and its predecessor organisations, has records of issuing the following notices under section 62 of the Act for the following suburbs:

Suburb	Notices
Banks	1
Braddon	1
City	5
Denman Prospect	1
Downer	2
Dunlop	1
Fyshwick	1
Gordon	3
Holt	1
Hume	2
Kambah	1
Lyneham	1
Macgregor	1
McKellar	1
Monash	1
Pialligo	1
Red Hill	1
Stirling	1
Theodore	1
Total	27

- (2) The most common reasons for issuing a section 62 notice related to fire-damaged buildings (12 notices) and pool safety (10 notices).
- (3) No.

- (4) No section 62 notices have been ignored.
-

**Municipal services—streetlights
(Question No 1685)**

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 24 August 2018 (*redirected to the Minister for City Services*):

- (1) Is the three-day timeframe for streetlight maintenance three consecutive days including the weekend, or three working days.
- (2) Can the Minister provide the total number of streetlight maintenance works that were completed outside of the 10-day timeframe in (a) 2014-15, (b) 2015-16, (c) 2016-17 and (d) 2017-18.
- (3) Can the Minister provide the total number of streetlight maintenance requests that are currently outside of the 10-day timeframe.
- (4) Can the Minister outline what verification or checks are undertaken to ensure that lamps are replaced, or other streetlight maintenance is carried out within the 10-day timeframe.

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

- (1) Under the Streetlight Energy Performance Contract (EPC), the timeframe for repair is two business days for third party reports for simple faults. Complex faults reported by third parties, including cable faults, have longer response times.
- (2) Streetlight maintenance activities require different response times depending on their complexity. The most common repair – lamp replacement – was required within 10 days under the previous contract.

(a)-(c) The previous contractor's performance was measured by a calculation of "network availability" which takes into account the number and duration of overdue repairs. A graph is provided below.

(Graph available at the Chamber Support Office)

- (d) Electrix commenced the Streetlight EPC on 1 May 2018 and have been clearing a transition workload of tasks which were outstanding and/or overdue at that date.
 - (3) There are 1,540 defects currently outside of the 10 day timeframe. This incorporates a large proportion of streetlights reported prior to the commencement of the Streetlight EPC (1 May 2018).
 - (4) TCCS undertakes a ten percent audit of all completed streetlight works to ensure that they have been repaired. From 1 November 2018 when the contract abatement regime enforcement begins, TCCS will audit the completed works and response times. System availability will be reported in a similar format to that graphed above in relation to the previous contract.
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**Animals—dangerous dogs
(Question No 1686)**

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 24 August 2018 (*redirected to the Minister for City Services*):

- (1) How many dogs have been seized in the last five years (a) once, (b) twice, (c) three times, (d) four times, (e) five times and (f) more than five times.
- (2) How many times have fees in column 3.4 and 3.5 of the Domestic Animals (Fees) Determination 2018 (No 1) been waived in the last five years.
- (3) What were the reasons for these fees being waved.
- (4) How many cases of outstanding fees currently exist.
- (5) How much has been raised in revenue each year for the past five years from dog seizures.

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

- (1)-(5) I am advised that the historical information requested is not in an easily retrievable form and may not be available. Investigation into the available data and preparation of a response to these questions will require significant time and resources. The required resources are currently fully allocated to service delivery.

**Municipal services—streetlights
(Question No 1688)**

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 24 August 2018 (*redirected to the Minister for Roads*):

- (1) What is the total number of street lights in the Territory as of (a) 30 March 2018 and (b) 1 July 2018.
- (2) How many street lights use energy efficient globes as of (a) 30 March 2018 and (b) 1 July 2018.
- (3) How many street lights have mercury vapour lamps as of (a) 30 March 2018 and (b) 1 July 2018.
- (4) How much funding was allocated in (a) 2017-18 and (b) 2018-19 for the replacement of mercury vapour lamps.
- (5) How many complaints were lodged via Access Canberra (fix my street) regarding failed street lights in (a) 2016-17 and (b) 2017-18.
- (6) What is the (a) standard and (b) average timeframe to repair a failed street light after it has been reported to Access Canberra.

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

1. (a) 79,486 and (b) 79,942.
2. (a) 5,645 light emitting diode (LED) and 20,822 compact fluorescent and (b) 6,101 LED and 20,799 compact fluorescent.
3. (a) 6,470 and (b) 6,463.
4. Mercury vapour lamps and light fittings are being replaced with LED light fittings as the old light fittings become unserviceable.
5. (a) 4,211 and (b) 6,372.
6. (a) The standard time to repair a streetlight, prior to May 2018 under the previous contractual arrangements was 10 days and excludes complex faults. (b) The Streetlight Energy Performance Contract is in the implementation phase and key performance indicators will apply from 1 November 2018 and require a two day response time for simple faults reported by a third party.

**Planning—roads
(Question No 1689)**

Ms Lawder asked the Minister for Transport and City Services, upon notice, on 24 August 2018 (*redirected to the Minister for Roads*):

Why isn't better forward planning applied to major housing development area, so that roads are built for planned capacity (rather than having to improve/duplicate roads at a later date, for example build roads to suit the zoning of the area.

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

Transport planning and traffic modelling is undertaken to predict future traffic flows including the required road capacity for all new development areas. Care is always taken to preserve sufficient land requirements within road reserves so that they can be designed for the future predicted ultimate traffic volumes, if and when required.

It is important to remember that as development of new areas proceeds, road duplications or upgrades are sometimes required, and these undertaken through a staged approach to infrastructure investment. This is done to ensure that road development is properly sequenced in line with the development that was anticipated.

**Education Directorate—communications
(Question No 1690)**

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 24 August 2018:

- (1) How many communications staff are employed in the (a) Education Directorate (ED) and in ACT schools and (b) Minister's office.

- (2) What classifications are held by communications staff working in the (a) ED and in ACT schools and (b) Minister's office.
- (3) How many levels of management are required to clear a media release for the ED.
- (4) Does the Minister personally clear each media release put out by the ED.

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

- (1) (a) As of the end of August 2018, the total number of positions by full-time equivalent and headcount allocated to communications roles within the Education Directorate is six. No communications staff are employed in ACT schools.
(b) None. Communications staff supporting the ACT Executive are employed in the Government Communications Unit in the Chief Minister's Office.
- (2) (a) The classifications of the communications positions in the Education Directorate are as follows:
SOG A: 1 Senior Communications Manager
SOG B: 1 Assistant Communications Manager
SOG C: 2 Senior Communications Officer (1 currently vacant)
ASO 6: 1 Communications Officer
ASO 5: 1 Media and Communications Officer
(b) Not applicable.
- (3) The Education Directorate very infrequently issues media releases; the last published on the ACT Open Government website was issued in 2015. Most education portfolio media releases promote government policy, programs or investment and are therefore issued in the name of the Minister. Media releases are drafted by either the Media and Communications team, the responsible line area or the Minister's office with support of the Directorate. Media releases are cleared by the Media and Communications Manager or Assistant Manager, the line area manager, director and the relevant Deputy-Director General/Executive Director. The media release is then forwarded to the Minister's office for consideration.
- (4) Refer to (3).

**ACT Health—review
(Question No 1691)**

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 24 August 2018:

- (1) Did ACT Health commission an independent review and system level redesign of withdrawal management services in 2016.
- (2) Who was chosen to conduct this review and system level redesign.
- (3) How was the person who conducted the review and system level redesign chosen.
- (4) Has this work been completed; if so, how much did it cost.

- (5) If this work has not been completed; why not and (a) how much has it cost to date and (b) how much will it cost when completed.
- (6) Why has the report not been released as yet.
- (7) Does the Minister have plans to publicly release this report; if so, when.

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

- (1) Yes.
- (2) The review was conducted by 360edge, with coordination from the Alcohol, Tobacco and Other Drug Association ACT.
- (3) 360edge were appointed on the basis of their highly relevant specialist expertise in alcohol and other drugs policy and practice.
- (4) Yes. The cost was \$148,449.00.
- (5) See answer to question four above.
- (6) The Report was commissioned to inform internal policy and planning, and as such there is currently no plan to publicly release the Report, however the content of the Report is being used currently to inform policy decisions, including funding in the 2018-19 Budget.
- (7) See answer to question six above.

**Sport—athletics facilities
(Question No 1693)**

Ms Lee asked the Minister for Sport and Recreation, upon notice, on 24 August 2018:

- (1) What date was the construction of six athletics structures at the Campbell Oval between Campbell Primary School and St Thomas More's Primary School commenced, and completed?
- (2) What was the total cost of construction for each of these six new structures.
- (3) Who asked for and/or initiated the construction of these athletics facilities.
- (4) Can the Minister provide a list of the athletics/sports/community or other groups or clubs that use these facilities.
- (5) With what frequency do or will these groups use these facilities.
- (6) Are there any conditions of use for these facilities; if so, can the Minister provide a copy of these conditions; if not, why not and does the Government have any intentions to set any conditions; if so, when.

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

- (1) The facilities at Campbell were constructed during the 2013-14 financial year.
- (2) The total cost for the project was \$145,000.00 ex GST.
- (3) ACT Veterans Athletics Club.
- (4) AFL Canberra and Weston Creek Little Athletics had bookings during the last financial year.
- (5) AFL Canberra – had four Wednesday afternoon bookings last year in November 2017 for training. Weston Creek Little Athletics – had fourteen one hour booking for every Monday and Wednesday from 29 January 2018 until 21 March 2018.
- (6) The Territory provides community sports with supporting infrastructure such as throwing cages, goal posts, and cricket nets. Assets may also be utilised by recreation users. Conditions are only identified under formal hire arrangements.

**Planning—Woden
(Question No 1698)**

Ms Le Couteur asked the Minister for Planning and Land Management, upon notice, on 24 August 2018:

In relation to planning for social educational, recreational and cultural facilities in Woden Town Centre and the Government response to the Standing Committee on Planning and Urban Renewal Report 3, Draft Variation to the Territory Plan No 344 Woden Town Centre: Zone Changes and Amendments to the Phillip Precinct Map and Code, which Government-provided social, educational, recreational and cultural facilities are planned for based on a (a) Woden Valley-only catchment and (b) the Woden Valley plus Weston Creek, or Woden Valley plus Weston Creek plus Molonglo.

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

The Government considers and plans for community facilities and services subject to a range of factors that are not always based on geographical considerations (e.g. catchments). For example, factors considered include current availability and level of service, facility requirements, private and public service delivery options, current and future service demand and use (including consideration of population trends), and cost and value to the community.

Announced future Government provided services within the Woden and Weston creek areas include:

- a new Molonglo primary school, announced in 2018-19 Budget which will provide places for 600 students from Kindergarten to Year 6 and places for 44 pre-schoolers – with space for future growth. The school will be ready to accept students from the start of the 2021 school year.
- the Stromlo Leisure Centre, located at Stromlo Forest Park which is currently under construction and is expected to cater for Molonglo, Weston Creek and Woden residents. It is expected that the facility will be completed in early 2020.

- sport and recreation infrastructure projects near Woden include the Phillip Oval upgrade (AFL and cricket), the Melrose Football Precinct and Woden Park upgrade (athletics).
- five to six culturally appropriate units for older Aboriginal and Torres Strait Islander people in Ulverstone Street Lyons being developed by Housing ACT. This project builds on the success of Mura Gunya, the first small complex of five dwellings constructed for older Aboriginal and Torres Strait Islander people in Kambah. The location of health and community services, shops, offices and public transport were critical factors in deciding upon the Lyons location. It is intended a Development Application will be submitted before the end of the year and subject to approval construction will commence in early 2019.
- four small multi-unit public housing complexes are being constructed in Chapman, Holder, Mawson and Wright by the Public Housing Renewal Taskforce. The dwellings will be used to provide accommodation for public housing tenants. The sites were selected because of their proximity to shops, public transport, health and other community services and facilities. The residents will make use of the facilities and services available at Cooleman Court, Woden Town Centre and Molonglo.
- pedestrian and cycling accessibility improvements are being undertaken by Transport Canberra and City Services (TCCS) within and around the Woden town centre. They are also implementing the key priorities of the Woden Town Centre master plan and undertaking public realm improvements including 'the Woden Experiment'.
- TCCS are moving forward on a new bus depot for Woden that will improve public transport for the area as well as progressing early planning works for the City to Woden light rail corridor and intersection safety upgrades.
- the Woden library is being revitalised by TCCS.

There are also additional community related works that will be subject to funding and detailed design, in the future.

Light rail—costs (Question No 1701)

Miss C Burch asked the Minister for Transport and City Services, upon notice, on 24 August 2018 (*redirected to the Minister for Transport*):

- (1) What is the projected real minimum project cost in current dollar terms for Light Rail Stage 1.
- (2) How and where are any risk-retained amounts accounted for in the Budget papers.
- (3) What is the projected real project cost per passenger over the operating period of the contract.
- (4) What is the projected subsidy per passenger over the operating period of the contract.

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

- (1) Please refer to the Capital Metro Contract Summary:
https://www.tccs.act.gov.au/_data/assets/pdf_file/0007/887686/Light-rail-Capital-Metro-Project-Contract-Summary.pdf

- (2) It is a separate budget line item under Budget Statements H p.34 in the 2018-19 Budget. The 2018-19 budget refers to a rollover from the 2017-2018 Budget Statements H p.31.
- (3) Please refer to the final Business Case:
http://www.tccs.act.gov.au/_data/assets/pdf_file/0010/887680/Light-rail-Capital-Metro-Business-Case-In-Full.pdf

Please refer to the final Business Case:
http://www.tccs.act.gov.au/_data/assets/pdf_file/0010/887680/Light-rail-Capital-Metro-Business-Case-In-Full.pdf

ACTION bus service—patronage (Question No 1702)

Miss C Burch asked the Minister for Transport and City Services, upon notice, on 24 August 2018 (*redirected to the Minister for Transport*):

How many (a) total passenger arrivals (MyWay tap-offs) broken down by bus route number, (b) total passenger departures (MayWay tap-ons) broken down by bus route number, (c) student passenger arrivals (student MyWay tap-offs) broken down by bus route number and (d) student passenger departures (student MyWay tap-ons) broken down by bus route numbers occurred on Wednesday 8 August 2018, for the bus stops of (i) 4006, (ii) 4979, (iii) 4072, (iv) 4073, (v) 2558, (vi) 3163, (vii) 1001, (viii) 2424, (ix) 2423, (x) 4188, (xi) 4005, (xii) 5182, (xiii) 1180, (xiv) 1465, (xv) 1464, (xvi) 1181, (xvii) 4292, (xviii) 4291, (ixx) 4265, and (xx) 4266.

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

The (a) total passenger arrivals (MyWay tap-offs) and (b) total passenger departures (MayWay tap-ons) broken down by bus route number on Wednesday 8 August 2018, for the bus stops of (i) 4006, (ii) 4979, (iii) 4072, (iv) 4073, (v) 2558, (vi) 3163, (vii) 1001, (viii) 2424, (ix) 2423, (x) 4188, (xi) 4005, (xii) 5182, (xiii) 1180, (xiv) 1465, (xv) 1464, (xvi) 1181, (xvii) 4292, (xviii) 4291, (ixx) 4265, and (xx) 4266 are as follows:

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
1001: Drumston St opp MacKillop College	171	0	1
	508	0	2
	530	0	3
	65	4	23
	67	20	14
	697	0	4
	71	18	11
	765	0	4
	859	5	0
1180: MacKillop College McBryde Cr	61	5	3
1181: McBryde Cr opp MacKillop College	61	4	3

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
1465: MacKinnon St MacKillop College	407	9	0
	500	41	4
	526	24	1
	536	0	1
	544	0	49
	604	55	1
	64	11	0
	644	0	2
	650	0	26
	660	1	30
	661	41	3
	665	0	41
	670	42	2
	671	0	22
	677	28	1
	679	19	0
	687	22	2
	689	23	4
	694	11	0
	695	22	1
	851	0	19
	852	0	22
	855	0	15
	856	0	15
	858	0	21
	859	0	23
2423: Fremantle Dr opp Canberra College Weston	27	10	2
2424: Fremantle Dr Canberra College Weston	27	6	18
2558: Cowper St Daramalan College	405	11	0
	414	0	9
	431	1	48
	570	11	0
	577	29	1
	7	7	9
	838	35	0
	849	1	10
	875	25	0
	890	24	1
3163: Cowper St opp Daramalan College	574	0	25
	7	19	12
4005: Haydon Dr opp Radford College	300	87	14
	313	65	9
	314	65	4
	315	51	3
	316	15	1
	318	51	8

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
	319	33	10
	343	114	9
4006: College St Radford College	14	14	0
	15	11	1
	17	26	1
	3	6	7
	30	1	10
	300	7	20
	31	3	10
	313	7	82
	314	4	63
	315	6	39
	316	7	41
	318	0	21
	319	6	35
	343	17	97
	43	3	0
	54	3	19
	7	6	24
4072: Copland Dr Copland College	12	2	13
	410	3	4
	45	11	1
	577	0	3
	594	0	1
	712	0	2
	879	2	0
4073: Copland Dr opp Copland College	12	12	3
	45	3	6
	712	3	0
4188: Haydon Dr after College St	254	1	0
	30	2	2
	31	1	0
	54	12	2
4265: Verbrugghen St Copland College	15	29	1
	315	23	4
	410	0	2
	461	0	3
	483	1	0
	714	5	0
4266: Verbrugghen St opp Copland College	15	0	16
	315	0	10
	497	0	1
	570	0	1
	714	0	3
4291: Murrnaji St opp Hawker College	17	36	66
	430	0	1

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
4292: Murrnaji St Hawker College	17	96	31
	431	3	0
	639	0	1
	717	0	4
4979: College St University of Canberra	254	4	0
	3	38	14
	30	36	10
	300	181	28
	31	43	9
	313	133	40
	314	61	7
	315	40	21
	316	15	7
	318	76	7
	319	149	23
	343	106	20
	54	114	3
	7	39	10
5182: John Paul College	251	0	6
	51	18	21
	801	0	41
	802	0	25
	803	0	42
	804	63	0
	808	32	1
	809	46	0
Total		2,631	1,552

The (c) student passenger arrivals (student MyWay tap-offs including Student Transport Program) and (d) student passenger departures (student MyWay tap-ons including Student Transport Program) broken down by bus route numbers occurred on Wednesday 8 August 2018, for the bus stops of (i) 4006, (ii) 4979, (iii) 4072, (iv) 4073, (v) 2558, (vi) 3163, (vii) 1001, (viii) 2424, (ix) 2423, (x) 4188, (xi) 4005, (xii) 5182, (xiii) 1180, (xiv) 1465, (xv) 1464, (xvi) 1181, (xvii) 4292, (xviii) 4291, (ixx) 4265, and (xx) 4266 are as follows:

Stop	Route	Student Departures	Student Arrivals
1001: Drumston St opp MacKillop College	508	0	2
	530	0	3
	65	2	20
	67	17	14
	697	0	4
	71	11	10
	859	5	0
1180: MacKillop College McBryde Cr	61	5	3
1181: McBryde Cr opp MacKillop College	61	4	3

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
1465: MacKinnon St MacKillop College	407	9	0
	500	41	4
	526	24	1
	536	0	1
	544	0	49
	604	54	1
	64	11	0
	644	0	2
	650	0	26
	660	1	30
	661	40	3
	665	0	41
	670	40	2
	671	0	22
	677	28	1
	679	19	0
	687	22	2
	689	23	4
	694	11	0
	695	22	1
	851	0	19
	852	0	22
	855	0	14
	856	0	15
	858	0	20
	859	0	23
2423: Fremantle Dr opp Canberra College Weston	27	1	0
2424: Fremantle Dr Canberra College Weston	27	0	5
2558: Cowper St Daramalan College	405	11	0
	414	0	9
	431	1	45
	570	11	0
	577	29	1
	7	1	3
	838	34	0
	849	1	9
	875	25	0
	890	24	1
3163: Cowper St opp Daramalan College	574	0	25
	7	1	7
4005: Haydon Dr opp Radford College	300	10	0
	313	3	1
	314	1	0
	315	1	2
	316	1	1
	318	18	1

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
	319	3	2
	343	27	1
4006: College St Radford College	14	13	0
	15	8	0
	17	24	1
	3	1	5
	30	1	8
	300	3	2
	31	0	6
	313	1	14
	314	2	4
	315	2	2
	316	5	1
	318	0	13
	319	2	8
	343	7	14
	43	2	0
	54	1	14
	7	0	23
4072: Copland Dr Copland College	12	2	11
	410	3	4
	45	11	0
	577	0	3
	594	0	1
	879	1	0
4073: Copland Dr opp Copland College	12	9	3
	45	3	6
	712	2	0
4188: Haydon Dr after College St	31	1	0
	54	6	0
4265: Verbrugghen St Copland College	15	23	1
	315	4	4
	461	0	3
	483	1	0
4266: Verbrugghen St opp Copland College	15	0	12
	315	0	2
	497	0	1
	570	0	1
4291: Murrnaji St opp Hawker College	17	33	59
4292: Murrnaji St Hawker College	17	90	28
	431	3	0
	639	0	1
	717	0	4
4979: College St University of Canberra	3	5	3
	30	5	5
	300	9	2
	31	2	3
	313	6	2

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
	314	1	2
	315	4	6
	316	1	1
	318	8	1
	319	15	3
	343	5	3
	54	25	1
	7	15	2
5182: John Paul College	251	0	6
	51	17	19
	801	0	39
	802	0	25
	803	0	42
	804	62	0
	808	31	1
	809	44	0
Total		1,111	900

ACTION bus service—patronage (Question No 1703)

Miss C Burch asked the Minister for Transport and City Services, upon notice, on 24 August 2018 (*redirected to the Minister for Transport*):

How many (a) total passenger arrivals (MyWay tap-offs) occurred broken down by bus route number, (b) total passenger departures (MyWay tap-ons) occurred broken down by bus route number, (c) student passenger arrivals (student MyWay tap-offs) broken down by bus route number, (d) student passenger departures (Student MyWay tap-ons) occurred broken down by bus route number occurred on Wednesday 8 August 2018, for the bus stops of (i) 2496, (ii) 2497, (iii) 1606, (iv) 2219, (v) 2220, (vi) 3273, (vii) 4814, (viii) 2313, (ix) 2214, (x) 4288 and (xi) 1321.

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

The (a) total passenger arrivals (MyWay tap-offs) and (b) total passenger departures (MyWay tap-ons) occurred broken down by bus route number on Wednesday 8 August 2018, for the bus stops of (i) 2496, (ii) 2497, (iii) 1606, (iv) 2219, (v) 2220, (vi) 3273, (vii) 4814, (viii) 2313, (ix) 2214, (x) 4288 and (xi) 1321 are as follows:

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
1321: Wheeler Cr after Wanniasa High School	536	8	0
	665	0	3
1606: Casey Cr Calwell High School	171	1	3
	499	0	1
	635	0	1

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
	651	0	6
	670	0	1
	71	22	14
	874	0	13
	891	2	0
2214: Melbourne Av Senior Girls Grammar School	1	17	6
	2	13	2
	3	7	2
2219: Gawler Cr opp SGG School	1	7	2
	2	10	8
	3	13	5
	831	0	1
2220: Gawler Cr Senior Girls Grammar School	1	1	1
	2	8	5
	3	4	0
	434	0	1
	499	3	1
	554	3	0
	558	2	0
	563	1	0
	567	4	0
	690	0	6
	823	19	1
	825	17	0
	833	6	1
	834	0	8
	840	0	13
	846	0	3
	868	2	12
2313: Melbourne Av opp Senior Girls Grammar School	1	5	3
	2	2	6
	3	2	3
2496: Badimara St Mount Stromlo High School	27	9	1
2497: Badimara St opp Mount Stromlo High School	27	2	8
	544	2	0
	692	2	0
3273: Golden Gr opp SBG School	4	6	30
	485	0	1
4288: Murrniji St Belconnen High School	17	40	5
	717	3	3
4814: Kelleway Av Gold Creek High School	251	0	2
	427	0	3
	469	0	28
	51	23	32
	529	31	0
	538	0	32

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
	601	14	0
	607	27	1
Total		338	278

The (c) student passenger arrivals (student MyWay tap-offs including Student Transport Program) and (d) student passenger departures (Student MyWay tap-ons including Student Transport Program) broken down by bus route number on Wednesday 8 August 2018, for the bus stops of (i) 2496, (ii) 2497, (iii) 1606, (iv) 2219, (v) 2220, (vi) 3273, (vii) 4814, (viii) 2313, (ix) 2214, (x) 4288 and (xi) 1321 are as follows:

Stop	Route	Student Departures	Student Arrivals
1321: Wheeler Cr after Wanniasa High School	536	8	0
	665	0	3
1606: Casey Cr Calwell High School	499	0	1
	635	0	1
	651	0	5
	670	0	1
	71	18	6
	874	0	13
	891	2	0
2214: Melbourne Av Senior Girls Grammar School	1	3	4
	2	11	0
	3	3	0
2219: Gawler Cr opp SGG School	1	6	1
	2	10	4
	3	12	1
	831	0	1
2220: Gawler Cr Senior Girls Grammar School	2	4	3
	3	1	0
	434	0	1
	499	3	1
	554	3	0
	558	2	0
	563	1	0
	567	3	0
	690	0	6
	823	18	1
	825	17	0
	833	6	1
	834	0	8
	840	0	12
	846	0	3
	868	2	12
2313: Melbourne Av opp Senior Girls Grammar School	1	4	2
	2	0	3
	3	1	2

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
2496: Badimara St Mount Stromlo High School	27	8	1
2497: Badimara St opp Mount Stromlo High School	27	2	8
	544	2	0
	692	2	0
3273: Golden Gr opp SBG School	4	4	10
	485	0	1
4288: Murrnaji St Belconnen High School	17	37	5
	717	1	3
4814: Kelleway Av Gold Creek High School	251	0	1
	427	0	3
	469	0	28
	51	14	31
	529	31	0
	538	0	31
	601	13	0
	607	27	1
Total		279	219

ACTION bus service—patronage (Question No 1704)

Miss C Burch asked the Minister for Transport and City Services, upon notice, on 24 August 2018 (*redirected to the Minister for Transport*):

How many (a) total passenger arrivals (MyWay tap-offs) broken down by bus route number, (b) total passenger departures (MyWay tap-ons) broken down by bus route number, (c) student passenger arrivals (student MyWay tap-offs) broken down by bus route number and (d) student passenger departures (student MyWay tap-ons) broken down by bus route number, occurred on Wednesday, 8 August 2018 for the bus stops of (i) 2294, (ii) 2295, (iii) 4165, (iv) 4166, (v) 4521, (vi) 4522, (vii) 4506, (viii) 3202, (ix) 1216, (x) 6000, (xi) 5997, (xii) 6165, (xiii) 5084, (xiv) 2129, (xv) 2128, (xvi) 2027, (xvii) 3078, (xviii) 3079, (ixx) 1453, (xx) 1456, (xxi) 300, (xxii) 4113, (xxiii) 4114, (xxiv) 1057, (xxv) 1056, (xxvi) 4686, (xxvii) 1666, (xxviii) 1191, (xxix) 4781, (xxx) 4425, (xxxi) 1033, (xxxii) 4175, (xxxiii) 2112, (xxxiv) 1300, (xxxv) 1299, (xxxvi) 2163, (xxxvii) 2162, (xxxviii) 4351, (xxxix) 4440, (xl) 4361, (xli) 2670, (xlii) 1792, (xliii) 4231, (xliv) 1223, and (xlv) 4867.

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

The (a) total passenger arrivals (MyWay tap-offs) and (b) total passenger departures (MyWay tap-ons) broken down by bus route number on Wednesday, 8 August 2018 for the bus stops of (i) 2294, (ii) 2295, (iii) 4165, (iv) 4166, (v) 4521, (vi) 4522, (vii) 4506, (viii) 3202, (ix) 1216, (x) 6000, (xi) 5997, (xii) 6165, (xiii) 5084, (xiv) 2129, (xv) 2128, (xvi) 2027, (xvii) 3078, (xviii) 3079, (ixx) 1453, (xx) 1456, (xxi) 300, (xxii) 4113, (xxiii) 4114, (xxiv) 1057, (xxv) 1056, (xxvi) 4686, (xxvii) 1666, (xxviii) 1191, (xxix) 4781, (xxx) 4425, (xxxi) 1033, (xxxii) 4175, (xxxiii) 2112, (xxxiv) 1300, (xxxv) 1299, (xxxvi) 2163, (xxxvii) 2162, (xxxviii) 4351, (xxxix) 4440, (xl) 4361, (xli) 2670, (xlii) 1792, (xliii) 4231, (xliv) 1223, and (xlv) 4867 are as follows:

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
0300: Donaldson St after Ainslie Primary School	2	4	4
1033: Lawrence Wackett Cr opp Theodore Primary School	171	0	6
	499	0	3
	635	0	1
	670	0	7
	71	10	11
	891	2	0
1056: Hurtle Av opp Bonython Primary School	18	3	1
	318	18	1
	541	0	1
1057: Hurtle Av Bonython Primary School	18	2	3
	318	0	12
	525	3	0
	636	0	2
	695	0	1
	852	1	0
1191: Knoke Av opp Gordon Primary School	18	4	0
	318	4	2
	526	0	1
	660	4	0
	718	3	0
	775	0	2
	894	0	2
1216: Box Hill Av opp St. Clare of Assisi Primary	18	9	0
	19	1	0
	318	1	0
	319	1	6
	500	0	5
	526	0	1
	583	0	1
	605	0	1
	606	0	5
	648	0	1
	651	2	0
	719	0	4
	775	0	3
	893	0	5
1223: Tom Roberts Av Conder Primary School	19	11	2
	319	4	0
	648	0	3
	665	6	0
	719	2	0
1299: O'Halloran Cct opp. Namadgi School	160	1	3
	60	9	7
	62	12	12
	628	1	0
	690	3	0

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
1300: O'Halloran Cct Namadgi School Kambah	160	1	1
	60	21	12
	62	14	11
1453: Corlette Cr Monash Primary	164	0	1
	536	1	1
	540	0	2
	589	1	1
	64	3	6
1456: Corlette Cr opp Monash Primary	164	1	0
	64	6	2
1666: Knoke Av Gordon Primary School	18	1	5
	318	0	11
	568	1	0
	661	0	1
	718	0	2
	775	2	0
	888	1	1
1792: Summerland Cct Village Creek Primary	162	6	1
	404	1	0
	62	4	3
	629	0	1
	677	0	1
2027: Carruthers St before Curtin Primary School	2	6	4
	446	0	5
	493	2	4
	732	0	4
	824	0	4
2112: Mulley St Judes Primary School	25	3	1
	401	3	0
	477	3	0
	544	2	0
	678	1	0
	725	7	0
2128: Burrinjuck Cr opp Duffy Primary School	25	16	0
	477	3	0
	507	0	1
	678	2	0
	725	6	0
2129: Burrinjuck Cr Duffy Primary School	25	0	11
	501	5	1
	505	0	6
	545	0	6
	680	0	5
	689	0	3
	725	0	2

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
2162: Perry Dr opp Chapman Primary School	26	0	6
	404	0	1
	678	1	0
	679	0	1
2163: Perry Dr Chapman Primary School	26	2	0
	401	4	0
	477	1	0
	680	0	2
2294: Ainsworth St Mawson Primary School	23	1	14
	512	0	1
	720	0	2
2295: Ainsworth St opp Mawson Primary School	24	7	3
	720	1	0
2670: Streeton Dr Chapman Primary School	26	12	4
	477	1	0
	544	2	0
	692	2	0
	726	3	0
3078: Chauvel St before Campbell Primary School	810	0	3
	9	9	9
3079: Chauvel St opp Campbell Primary School	834	13	0
	9	0	13
3202: Blue Gum Primary School Madigan St	2	24	39
	448	0	2
	623	1	0
	823	0	1
4113: Heydon Cr Evatt Primary School	12	0	11
	461	0	4
	712	0	1
4114: Heydon Cr opp Evatt Primary School	12	12	0
	497	1	0
	594	0	1
	712	3	0
4165: Alfred Hill Dr after Les Gallienne St	15	10	3
	315	0	3
4166: Alfred Hill Dr Mt Rogers Primary	15	2	0
	315	2	5
4175: Moynihan St Miles Franklin Primary School	12	14	0
	712	1	0
4231: Tillyard Dr before Fraser Primary	14	0	3
	314	1	1
	625	0	1
4351: Ross Smith Cr Southern Cross Primary	14	6	3
	314	23	0
4361: Starke St opp Cranleigh Primary	16	0	2
	316	0	1

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
4425: Krefft St back of Florey Primary School	16	20	1
	316	14	1
	639	1	0
4440: Shumack St opposite Weetangera Primary	17	7	1
	431	3	0
	639	0	3
	717	5	0
4506: Bennelong Cr opp Macquarie Primary School	40	10	24
	438	3	0
	450	0	6
4521: Bandjalong Cr Aranda Primary	40	52	22
	431	6	4
	717	9	1
	846	1	0
4522: Bandjalong Cr opp Aranda Primary	40	23	52
	624	0	6
	717	1	3
	818	0	1
4686: Kelleway Ave after Holy Spirit Primary	252	3	6
	52	7	7
	538	0	5
	601	5	1
4781: Kosciuszko Av Palmerston Primary	529	0	5
	56	31	10
	608	0	1
4867: Unaipon Av Ngunnawal Primary School	252	2	0
	52	1	0
5084: Burgmann Anglican School The Valley Av	534	17	11
	537	0	57
	55	1	6
	56	6	0
	572	42	1
	581	32	0
	584	13	13
	608	9	0
	619	0	7
5997: Burdekin Av Good Shepherd School	259	6	3
	432	0	9
	581	10	2
	59	3	6
	607	5	0
	804	0	7
6000: Burdekin Av Amaroo Primary School	259	1	24
	581	0	2
	59	15	12
	607	4	5
	619	1	1

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
	623	1	4
	804	0	8
6165: Burgmann Anglican School Forde	255	16	5
	427	0	10
	534	1	31
	537	31	11
	55	31	1
	572	12	25
	581	6	1
	584	32	1
	608	18	1
	809	0	1
Total		920	804

The (c) student passenger arrivals (student MyWay tap-offs including Student Transport Program) and (d) student passenger departures (student MyWay tap-ons including Student Transport Program) broken down by bus route number on Wednesday, 8 August 2018 for the bus stops of (i) 2294, (ii) 2295, (iii) 4165, (iv) 4166, (v) 4521, (vi) 4522, (vii) 4506, (viii) 3202, (ix) 1216, (x) 6000, (xi) 5997, (xii) 6165, (xiii) 5084, (xiv) 2129, (xv) 2128, (xvi) 2027, (xvii) 3078, (xviii) 3079, (ixx) 1453, (xx) 1456, (xxi) 300, (xxii) 4113, (xxiii) 4114, (xxiv) 1057, (xxv) 1056, (xxvi) 4686, (xxvii) 1666, (xxviii) 1191, (xxix) 4781, (xxx) 4425, (xxxi) 1033, (xxxii) 4175, (xxxiii) 2112, (xxxiv) 1300, (xxxv) 1299, (xxxvi) 2163, (xxxvii) 2162, (xxxviii) 4351, (xxxix) 4440, (xl) 4361, (xli) 2670, (xlii) 1792, (xliii) 4231, (xliv) 1223, and (xlv) 4867 are as follows:

Stop	Route	Student Departures	Student Arrivals
0300: Donaldson St after Ainslie Primary School	2	2	3
1033: Lawrence Wackett Cr opp Theodore Primary School	171	0	1
	499	0	3
	635	0	1
	670	0	6
	71	5	6
	891	2	0
1056: Hurtle Av opp Bonython Primary School	318	9	1
1057: Hurtle Av Bonython Primary School	18	1	3
	318	0	5
	525	3	0
	636	0	2
	695	0	1
	852	1	0
1191: Knoke Av opp Gordon Primary School	18	2	0
	318	3	2
	526	0	1
	660	4	0
	894	0	2

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
1216: Box Hill Av opp St. Clare of Assisi Primary	18	9	0
	19	1	0
	318	1	0
	319	0	1
	500	0	5
	526	0	1
	583	0	1
	605	0	1
	606	0	5
	648	0	1
	651	2	0
	893	0	5
1223: Tom Roberts Av Conder Primary School	19	9	1
	319	1	0
	648	0	3
	665	6	0
1299: O'Halloran Cct opp. Namadgi School	160	0	3
	60	6	7
	62	1	7
	628	1	0
	690	3	0
1300: O'Halloran Cct Namadgi School Kambah	60	16	5
	62	8	4
1453: Corlette Cr Monash Primary	536	1	1
	540	0	2
	589	1	1
	64	2	4
1456: Corlette Cr opp Monash Primary	64	5	0
1666: Knoke Av Gordon Primary School	18	1	2
	318	0	7
	568	1	0
	661	0	1
	888	1	1
1792: Summerland Cct Village Creek Primary	404	1	0
	62	1	1
	629	0	1
	677	0	1
2027: Carruthers St before Curtin Primary School	2	3	2
	446	0	5
	493	2	4
	824	0	4
2112: Mulley St St Judes Primary School	25	2	0
	401	3	0
	477	3	0
	544	2	0
	678	1	0

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
2128: Burrinjuck Cr opp Duffy Primary School	25	8	0
	477	3	0
	507	0	1
	678	2	0
	725	2	0
2129: Burrinjuck Cr Duffy Primary School	25	0	7
	501	4	1
	505	0	5
	545	0	6
	680	0	5
	689	0	3
2162: Perry Dr opp Chapman Primary School	26	0	3
	404	0	1
	678	1	0
	679	0	1
2163: Perry Dr Chapman Primary School	401	4	0
	477	1	0
	680	0	2
2294: Ainsworth St Mawson Primary School	23	1	3
	512	0	1
2670: Streeton Dr Chapman Primary School	26	4	1
	477	1	0
	544	2	0
	692	2	0
3078: Chauvel St before Campbell Primary School	810	0	3
	9	1	8
3079: Chauvel St opp Campbell Primary School	834	13	0
	9	0	5
3202: Blue Gum Primary School Madigan St	2	10	6
	448	0	2
	623	1	0
	823	0	1
4113: Heydon Cr Evatt Primary School	12	0	5
	461	0	4
4114: Heydon Cr opp Evatt Primary School	12	1	0
	497	1	0
	594	0	1
	712	2	0
4165: Alfred Hill Dr after Les Gallienne St	15	7	1
	315	0	1
4166: Alfred Hill Dr Mt Rogers Primary	15	1	0
	315	1	3
4175: Moynihan St Miles Franklin Primary School	12	6	0
	712	1	0
4231: Tillyard Dr before Fraser Primary	14	0	2
	625	0	1

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
4425: Krefft St back of Florey Primary School	16	9	1
	316	4	1
	639	1	0
4440: Shumack St opposite Weetangera Primary	17	3	1
	431	3	0
	639	0	3
	717	1	0
4506: Bennelong Cr opp Macquarie Primary School	40	3	16
	438	3	0
	450	0	6
4521: Bandjalong Cr Aranda Primary	40	4	12
	431	6	4
	846	1	0
4522: Bandjalong Cr opp Aranda Primary	40	14	4
	624	0	6
	818	0	1
4686: Kelleway Ave after Holy Spirit Primary	252	0	5
	52	4	0
	538	0	5
	601	5	1
4781: Kosciuszko Av Palmerston Primary	529	0	5
	56	4	4
	608	0	1
4867: Unaipon Av Ngunnawal Primary School	52	1	0
5084: Burgmann Anglican School The Valley Av	534	16	11
	537	0	56
	55	1	6
	56	5	0
	572	41	1
	581	31	0
	584	12	13
	608	9	0
	619	0	7
5997: Burdekin Av Good Shepherd School	259	3	1
	432	0	9
	581	10	2
	59	2	1
	607	5	0
	804	0	7
6000: Burdekin Av Amaroo Primary School	259	0	16
	581	0	2
	59	11	5
	607	4	5
	619	1	1
	623	1	4
	804	0	8

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
6165: Burgmann Anglican School Forde	255	4	5
	427	0	10
	534	1	30
	537	31	10
	55	27	1
	572	12	25
	581	5	1
	584	32	1
	608	18	1
Total		554	522

ACTION bus service—patronage (Question No 1705)

Miss C Burch asked the Minister for Transport and City Services, upon notice, on 24 August 2018 (*redirected to the Minister for Transport*):

How many (a) total passenger arrivals (MyWay tap-offs) broken down by bus route number, (b) total passenger departures (MyWay tap-ons) broken down by bus route number, (c) student passenger arrivals (student MyWay tap-offs) broken down by bus route number and (d) student passenger departures (student MyWay tap-ons) broken down by bus route number, occurred on Wednesday, 8 August 2018, for the bus stops of (i) 3020, (ii) 3019, (iv) 4320, (v) 1600, (vi) 2570 and (vii) 2541.

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

The (a) total passenger arrivals (MyWay tap-offs) and (b) total passenger departures (MyWay tap-ons) broken down by bus route number on Wednesday, 8 August 2018, for the bus stops of (i) 3020, (ii) 3019, (iv) 4320, (v) 1600, (vi) 2570 and (vii) 2541 are as follows:

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
1600: McBryde Cr Trinity Christian School	161	1	1
	407	4	1
	544	0	6
	61	6	14
	64	2	0
	644	0	9
	645	5	0
	646	23	3
	647	37	0
	648	18	0
	650	0	10
	665	0	7
	671	0	4

Stop	Route	Total Passenger Departures	Total Passenger Arrivals
	677	13	0
	679	13	0
	689	6	0
	694	11	0
	851	0	20
	852	0	7
	855	0	4
2541: Wisdom St opp Malkara School	1	4	7
2570: Wisdom St Malkara School	1	3	1
	406	0	7
3019: Denison St Woden School	1	7	3
	2	4	4
	455	49	0
	491	2	2
3020: Denison St opp Woden School	1	6	5
	2	1	4
	490	0	1
4320: Hardwick Cr Kingsford Smith School SSO	16	0	8
	470	36	0
	473	8	0
	486	1	31
Total		260	159

The (c) student passenger arrivals (student MyWay tap-offs including Student Transport Program) broken down by bus route number and (d) student passenger departures (student MyWay tap-ons including Student Transport Program) broken down by bus route number on Wednesday, 8 August 2018, for the bus stops of (i) 3020, (ii) 3019, (iv) 4320, (v) 1600, (vi) 2570 and (vii) 2541 are as follows:

Stop	Route	Student Departures	Student Arrivals
1600: McBryde Cr Trinity Christian School	407	4	1
	544	0	6
	61	4	13
	64	1	0
	644	0	8
	645	5	0
	646	23	3
	647	37	0
	648	15	0
	650	0	10
	665	0	6
	671	0	3
	677	12	0
	679	13	0
	689	6	0
	694	10	0
	851	0	20

Stop	Route	Student Departures	Student Arrivals
	852	0	7
	855	0	4
2541: Wisdom St opp Malkara School	1	2	2
2570: Wisdom St Malkara School	406	0	7
3019: Denison St Woden School	1	3	0
	2	4	1
	455	47	0
	491	2	1
3020 Denison St opp Woden School	1	1	1
	2	0	2
	490	0	1
4320: Hardwick Cr Kingsford Smith School SSO	16	0	8
	470	36	0
	473	8	0
	486	1	31
Total		234	135

Municipal services—local shopping precincts (Question No 1710)

Mrs Kikkert asked the Minister for Transport and City Services, upon notice, on 24 August 2018 (*redirected to the Minister for City Services*):

- (1) Which local shopping centres will see upgrades over the next year, and what will be the nature of the upgrades.
- (2) What is the due date that the local community will need to submit input by for upcoming shopping centre upgrades and where is this due date published.
- (3) What date will the current upgrade consultation process be completed and when will feedback from the consultation be published.
- (4) Apart from feedback received from the YourSay website (a) what other ways is consultation being undertaken, (b) how often does it occur and (c) which individuals or groups are consulted.

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

1. **Kambah Village Shops – Stage Two** – This upgrade will improve the function, accessibility, safety, amenity and vitality of the Kambah Village shopping centre.

Hibberson Street shared zone improvements – Will deliver a one way shared zone to improve pedestrian safety and increase the use of the widened verges, which encourage boarder use of the landscape footways.

Tuggeranong Town Centre – Along Anketell Street, this upgrade will create a pedestrian friendly destination precinct that revitalises the Town Centre and encourages walking and cycling. Concept designs are now also provided for the laneway and square.

2. Kambah Village Shops – Stage Two – Consultations were completed in early 2018.

Hibberson Street shared zone improvements – Consultation was undertaken in late 2016 to early 2017.

Tuggeranong Town Centre upgrades - Community consultation for the Anketell Street upgrade was completed in 2016. For the Tuggeranong Laneways upgrade, consultation will conclude on 25 November 2018.

3. Kambah Village Shops – Stage Two - Completed early 2018. Consultation summary report will be released with the final sketch plans in October 2018.

Hibberson Street shared zone improvements – Completed and results were released through the TCCS website.

Tuggeranong Town Centre - Consultation for the Town Square/laneways upgrade is expected to be completed in early 2019 with results to be released on the TCCS website.

4. Kambah Village Shops – Stage Two

a) Consultation included letter box surveys, school sessions with users of the playground, plans displayed in the Bakery in Kambah. Forms were collected at the letter box drop at the Bakery and Kambah Chemist. Laminated plans are left with all shops for patrons and traders to use. Leaseholders are all sent plans for their comments. Individual on site meetings with concerned traders and owners have been facilitated. Meetings at the Burns Club to review plans as a group.

b) During early planning stages to gather information for design; both Preliminary Sketch Plan and Final Sketch Plan are presented for review and comment.

c) Consultation targeted leaseholders, traders, the Tuggeranong Community Council, members of the community who have been letter dropped, community via the “Your say” portal and the community in the shopping centre courtyard.

Hibberson Street shared zone improvements

a) Consultation included a virtual reality display of the proposed design in the Gungahlin Shopping Centre, a popup consultation booth in the Gungahlin Shopping Centre, Transport Canberra and City Services website articles on the project consultation, results and design of the improvements, regular updates have been delivered to the local businesses and have been displayed on the construction fences.

b) Consultation and updates occur regularly before, during and after construction.

c) Local shoppers, businesses and the Gungahlin Community Council have all been included in consultation and project updates.

Tuggeranong Town Centre

a) For the Anketell Street upgrade: Consultation included letter box information and survey; plans displayed in the Tuggeranong Library and the Hyperdome; targeted meetings and workshops with public stakeholder representatives, organisations and individuals; meetings with traders and leaseholders.

(b) During early planning stages to gather information for design; on draft plans which are presented for review and comment.

(c) Tuggeranong Community Council, Tuggeranong Arts Centre, sporting groups and clubs and many other community group/organisation representatives; leaseholder representatives, lease holders, traders, Tuggeranong Community Council and individuals.

Details of the Laneways consultation is available on yoursay.act.gov.au

Legislative Assembly members—legal fees (Question No 1713)

Ms Le Couteur asked the Treasurer, upon notice, on 24 August 2018 (*redirected to the Attorney-General*):

- (1) Under what policy did the Government agree that legal fees for Mr Jeremy Hanson MLA would be covered.
- (2) Can the Minister provide the overall criteria for MLA financial support for legal cases and is there any limit to the amount of financial support that an MLA can receive in these situations; if so, what is it.
- (3) In relation to the recent case of Mr Jeremy Hanson MLA (a) did the ACT Insurance Authority payment for legal fees cover legal costs for both the plaintiff and the defendant, (b) did the payment also cover the costs of other settlement fees such as a compensation payout and (c) what was the total cost to the Government for these elements of the payment.
- (4) How many other legal cases for MLAs have been covered under this policy in the period of ACT's Self-Government and if there have been previous payments (a) which MLAs have received such financial support and in what circumstances and (b) what were the Government costs for these cases.
- (5) Have there been any instances where Government support has been requested but denied; if so, for what reason have these cases been denied.

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

- (1) Mr Hanson's grant of legal assistance was agreed to by the previous Attorney-General in accordance with the criteria set out in (2) below. The defence of the proceedings against Mr Hanson was responded to in accordance with the Territory's insurance arrangements.
- (2) Any grant of legal assistance to an MLA must be approved by the Attorney-General pursuant to the Law Officer (General) Legal Services Directions 2012, and is determined having regard to the "Guidelines for the Provision of Assistance to ACT Ministers and Members in relation to Legal Proceedings", tabled in the Legislative Assembly in June 1997. I attach a copy of the guidelines.

- (3) I am informed that the Territory's insurance arrangements met the legal costs for both the plaintiff and the defendant, and those costs are a matter of public record. There were no other settlement fees and no compensation has been paid. The ACT Insurance Authority has to date paid a total of \$604,679-55 in respect of this matter, comprising \$280,000 plaintiff legal costs and \$324,679-55 defendant's legal costs.
- (4) I am unable to say how many legal matters involving MLAs have been the subject to assistance since self-government as that data is not readily available from records searches.
- (5) Yes. Requests for legal assistance have been denied in cases where they did not meet the criteria set under the Guidelines for the Provision of Assistance to ACT Ministers and Members in relation to Legal Proceedings.

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

ACT Policing—body cameras (Question No 1714)

Ms Le Couteur asked the Minister for Police and Emergency Services, upon notice, on 24 August 2018:

- (1) Do ACT Policing officers wear body cameras when on duty.
- (2) Would there be any impediments to giving all police officers body cameras.
- (3) Are all police cars equipped with cameras.

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

- (1) ACT Policing officers do not currently wear body cameras when on duty.

ACT Policing is undertaking a renewal program of the fleet of camera enabled Conducted Electrical Weapons (CEW's). These newly deployed CEW's will be equipped with a body worn video capability, and will be personally issued to up to 483 operational members. This body worn video capability will, through internal policy, be limited to use of force scenarios involving a CEW.

- (2) Any consideration of the wholesale use of body worn cameras for police officers in the ACT would need to be undertaken in the context of the legislative, policy, procedural, logistical and economic implications.

As part of the rollout of 483 new CEW's, ACT Policing will review the utility of audio visual record evidence obtained by CEW equipped body worn cameras. This review will better inform ACT Policing on the utility of the broader use of body worn cameras.

- (3) No.
-

**Canberra Hospital—pharmacy department
(Question No 1716)**

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 24 August 2018:

- (1) How many staffing positions were there, either occupied or vacant for the pharmacy department at The Canberra Hospital as at 30 June 2018.
- (2) What were the staffing classifications for those positions.
- (3) Which positions were (a) occupied, and (b) vacant.
- (4) How many pharmacy department staff have resigned since January 2017.
- (5) What staffing classifications comprised those resignations.
- (6) How many resultant vacancies have been filled.
- (7) How many of the filled vacancies have become vacant again since January 2017.
- (8) What are the staffing classifications of those repeat vacancies.
- (9) What resignation reasons or exit interview feedback has been given to ACT Health by pharmacy department staff who have resigned since January 2017.
- (10) What has ACT Health done to address those reasons or that feedback.
- (11) If no reasons or feedback were given, did ACT Health offer resigning staff an opportunity to provide them; if not, why not.
- (12) Does ACT Health consider the rate of churn for pharmacy department staff to be unusual or unacceptable; if yes, what strategies are in place to address the rate of staffing churn.

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

- (1) The Pharmacy department had a budgeted establishment of 80.36 full-time equivalent (FTE) positions at 30 June 2018.
- (2) The established staffing classifications were:

Classification	FTE Staff
ASO4	1
ASO3	1
HP6	1
HP5	3
HP4	20.9
HP3	10.1
HP2	17.54
HP1 (including intern)	3.56

Classification	FTE Staff
T03	2.0
TO2	12.24
TO1	8.84
TTO	0
TOTAL	80.36

(3) At 30 June 2018, there were 73.96 FTE occupied and 6.41 FTE vacant (not including maternity leave and long service leave). Most of these vacancies are in the HP classifications, predominantly at HP2.

(4) Thirty (30) resignations have been received since January 2017.

(5) These resignations have been at the following classifications:

Classification	Positions resigned
ASO4	0
ASO3	0
HP6	0
HP5	0
HP4	4
HP3	2
HP2	9
HP1 (including intern)	9
TO3	0
TO2	2
TO1	3
TTO	1
TOTAL	30

(6) Twenty-seven (27) appointments have been made since January 2017.

(7) Six staff employed since January 2017 have subsequently resigned.

(8) These six are all from the HP1 classification.

(9) On resignation all staff are offered the opportunity to provide feedback on their reasons for resigning, both in person and anonymously on-line.

All exit surveys are submitted to Shared Services however ACT Health is aware that personal feedback has indicated concerns about income security (with the need for Attraction and Retention Incentives (ARIns) to be reviewed annually), and a perceived lack of career progression opportunities and sufficient supervision.

(10) ACT Health has taken on board the feedback provided in person by resigning staff, and a significant body of work is underway to address these concerns. This includes:

- a. Current Enterprise Agreement negotiations that aims to achieve incorporation of group ARIns into the Pharmacy salary structure. This will improve employment security by removing the need for an annual review of the ARIn. As a

consequence of Enterprise Bargaining negotiations, parties have discussed a full review of HP classifications. The parties have indicated that a number of disciplines may receive priority for review. Pharmacy has been discussed as one of these groups.

- b. Investment in pharmacy system automation.
 - c. Technical Officer Traineeship program (an opportunity for this non-skilled workforce to obtain a Certificate III in Hospital Pharmacy Technician).
 - d. Residency program (structured training and supervision for newly registered pharmacists).
- (11) On resignation, all staff are offered the opportunity to provide feedback on their reasons for resigning, both in person and anonymously on-line.
- (12) From 1 January 2017 to 30 June 2018, the Pharmacy staff turnover rate was 32 per cent. This is considered high and not optimal. Strategies taken by ACT Health to date in order to address this are those outlined in the response to question 10.
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ACT Health—communications (Question No 1717)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) Why does the ACT Health Communications Branch not know where the 28.75 FTE ACT Health communications staff are located in relation to the answer given to question on notice No 1499; if the Communications Branch does know, why did it take so long to pull the information together for the answer to question on notice No 1033.
- (2) Why was the Communications Branch unable to ask Human Resources for the requested data.
- (3) Is the Minister satisfied that all data was captured in the answer to question on notice No 1033.
- (4) What is the staffing structure, including classifications, of the ACT health Communications Branch.
- (5) How much did ACT Health spend on external communications consultancy services in (a) 2017-18 and (b) 2018-19.
- (6) How many FTEs are employed in ACT Health's graphic design team.
- (7) What is the classification structure for the graphic design team.
- (8) In which work areas are members of the graphic design team located.
- (9) What is the classification structure for each work area in which members of the graphic design team are located.

- (10) How much did ACT Health spend on external graphic design services in (a) 2017-18 and (b) 2018-19.

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

1. While most communications staff and functions reside in the Communications Branch, some communications staff and functions are embedded in business areas. In the interest of accuracy, it was important to consult line areas.
2. Human Resources do not collect the specific data requested.
3. Yes.
4. The Communications Branch staffing structure including classifications post transition to two organisation is as follows:

ACT Health Directorate
 SOG A – 2 FTE
 SOG B – 2 FTE
 SOG C – 3 FTE
 ASO 6 – 3 FTE
 ASO5 – 1
 Canberra Health Services
 SOG A – 2 FTE
 SOG B – 4 FTE
 SOG C – 4 FTE
 ASO 6 – 2 FTE
 ASO 5 – 2 FTE

5. A) In 2017/18 ACT Health Communications Branch spent \$24,965 on external communications consultancy services.

B) In 2018/19 ACT Health Communications Branch has spent nil on external communications consultancy services.

6. 2 FTE

7. ASO6 x 2 FTE

8. Graphic design staff are currently located within the Online and Design Team within the Communications Branch in the ACT Health Directorate.

9. The Online and Design Team comprises of:

- SOG A – Senior Manager (1 FTE)
- ASO 6 – Web Developer (1 FTE)
- ASO 6 – Graphic Designer (1 FTE)
- ASO 6 – Graphic Designer (1 FTE)

10. A) In 2017-18, the Communications Branch spent \$70,759.00 on external graphic design services.

B) In 2018-19, the Communications Branch spent \$63,687.10 on external on graphic design services.

ACT Health—infrastructure upgrade (Question No 1718)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) What work was involved in the payment of \$158 353.31 to Manteena Commercial Pty Ltd on 24 May 2018 for the aluminium composite panel facade assessment.
- (2) What works were involved in the payments of \$245 535.99 and \$221 946.11 to Shaw Building Groups Pty Ltd on 10 May 2018 and 24 May 2018 respectively, for Upgrade and Maintain ACT Health Assets.
- (3) In relation to the health infrastructure procurement capital upgrade program bundle for 2015-18 (a) what is the total budget of the bundle, (b) what works does it comprise, (c) what is the budget for each element of works and (d) who is the contractor engaged for each element.
- (4) What works were involved in the payment of \$28 617.06 to Shaw Building Group Pty Ltd on 31 May 2018 in relation to part (3).

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

- (1) The amount of \$158,353.31 is for facade replacement works completed for the month of April 2018 on the Centenary Hospital for Women and Children.
- (2) These invoices relate to the Building 2 and Building 12 Electrical Main Switchboard Replacement works.
- (3) a. The total approved budget was up to \$7,920,000 (GST Inclusive).
b. and c.

	Description	Budget (incl GST)
1	Building 1 design cost and contractor fees, Negative Pressure Doors, Hospital in the Home and works to the Mailroom.	\$37,056.80
2	Gaunt Place(CATT) design cost and contractor fees:	\$70,594.70
3	Building 12 ICU staff stations design cost + Management Fee:	\$10,052.90
4	Mail Room Stage 2 Construction	\$329,198.17
5	ICU Staff Station Stage 2 Construction	\$153,023.13
6	Neg Pressure Doors Stage 2 Construction	\$87,989.28
7	Gaunt Place – Internal refurbishment of CATT at Gaunt Place.	\$218,090.94
8	Tunnel Remediation – Fix water leaks and drainage:	\$227,301.98
9	Evacuation Paths – Construction of concrete evacuation paths from Building 11	\$127,433.06

	Description	Budget (incl GST)
10	Dickson Health – Refurbishment of the MACH at Dickson health:	\$360,391.60
11	Birthing Baths – Replacement of five birthing baths in Building 11:	\$231,206.77
12	Building 10 Treatment Tanks – Replacement Trade Waste treatment system for Building 10:	\$999,052.01
13	Return Briefs FY16/17 – Production of scoping documents for FY16/17 projects	\$113,473.03
14	Mortuary Clip-On – Extension of the mortuary in Building 10, including new cool room	\$919,912.93
15	Pathology Temporary Cooling units – Portable AC units to keep equipment within calibration temperatures	\$19,752.70
		\$3,791,056.97

d. The contractor for works is Shaw Building Group.

- (4) Concreting works, electrical works, hydraulic works, disconnection of existing diesel fuel lines, vibration monitoring linked to bio treatment tanks.

ACT Health—budget (Question No 1719)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) What will be the total budget be for (a) ACT Health and (b) Canberra Hospital and Health Services for (i) the period 1 October 2018 to 30 June 2019 and (ii) each of the out years in the current budget cycle.
- (2) Will the funding for the split of the Health Directorate, including engagement of additional staff be funded from existing sources; if so, (a) from which specific areas of the current Health Directorate structure will the funds be diverted, (b) how much money will be diverted from each specific area, (c) how will each specific area generate the funds to be diverted and (d) for each specific area, what impact will the diversion of funds have on service delivery in (i) administration and (ii) front-line health services.

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

- (1) The allocation of the existing ACT Health budget between the two entities will be refined as the transition process progresses. Preliminary estimates are that the new ACT Health Directorate will account for approximately 20 per cent of the existing budget. On this basis, the estimated total expenses budget for the period 1 October 2018 to 30 June 2019 (i) and the annualised (ii) total expenses budget for the ACT Health Directorate and Canberra Health Services Directorates for 2018-19 and end of year are outlined below:

9 Months (i)	Oct 18 – Jun 19			
	\$'000			
ACT Health Directorate (a)	216,158			
Canberra Health Services (b)	866,822			
	1,082,980			

Annualised (ii)	2018-19	2019-20	2020-21	2021-22
	\$'000	\$'000	\$'000	\$'000
ACT Health Directorate (a)	288,211	296,066	303,314	308,291
Canberra Health Services (b)	1,155,763	1,187,264	1,216,327	1,236,283
	1,443,974	1,483,330	1,519,641	1,544,574

- (2) The funding of staffing is from existing budget allocations. The allocation of functions across the organisations has been determined based on the current levels of resources and activity required to deliver the service.

ACT Health—communications (Question No 1721)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) How many communications staff will be employed and what classifications will they hold in (a) ACT Health, (b) Canberra Hospital and Health Services, (c) the Minister's office and (d) Minister Rattenbury's office as from 1 October 2018.
- (2) How many levels of management will be required to approve media releases and other communications collateral for (a) ACT Health and (b) Canberra Hospital and Health Services as from 1 October 2018.
- (3) How many communications staff will be employed at (a) The Canberra Hospital, (b) University of Canberra Public Hospital and (c) Calvary public hospital as from 1 October 2018.

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

- (1) (a) ACT Health will have the following communications function:
 - a. Media – 1 x SOGA, 1 x SOG C, 1 x ASO5
 - b. Strategic and internal communication – 2 x SOG B, 2 x SOG C
 - c. Online and design – 1 x SOG A, 3 x ASO6
 - (b) Canberra Health Services will have the following communications function:
 - a. Media – 1 x SOGB, 1 x SOGC, 1 x ASO6
 - b. Strategic and internal communication – 3 x SOGB, 3 x SOGC, 1 x ASO6, 2 x ASO5
 - (c) Communications staff supporting the ACT Executive are employed in the Government Communications Unit in the Chief Minister's Office.
 - (d) Minister Rattenbury's office is supported by two communications staff at 0.7 FTE.
- (2) The Communications functions in both organisations will report to the office of the CEO and the office of the Director-General. It is expected this will streamline approval processes, noting that subject matter expertise from within other areas of the Directorate/Health Service will often be required.

- (3) The numbers provided at 1 (b) will provide support across the entire Canberra Health Service. Calvary will continue to have one Communications and Media Manager.
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**Schools—English as an additional language
(Question No 1722)**

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 21 September 2018:

- (1) How are annual funding levels determined for delivery of English as an Additional Language/Dialect (EALD) specific programs and/or classes in ACT schools.
- (2) What is the funding for EALD-specific programs and/or classes per (a) school and (b) student.
- (3) If funding levels differ per school and/or student, why and how are different levels determined.
- (4) What elements/activities/support are included in the funding envelope.
- (5) How and at what stage of the year do schools apply for funding; is it a fixed date for determination or can it move as enrolments vary.
- (6) How is the funding acquitted.
- (7) What information/reporting does the Directorate require to acquit funding.
- (8) Do all schools routinely provide details of funding acquitted to the Directorate; if not, why not, and what penalties or other actions apply to schools that do not comply with requirements to acquit funding.
- (9) Does the Directorate require any other reporting on EALD specific programs.
- (10) How does the Minister measure the effectiveness of the program in any given school and what accountability measures are set; if no accountability measures are set, why not.
- (11) What role or involvement does a parent have in the program in which their child is enrolled and what reports are provided to a parent at the start and end of the enrolment in an EALD class.

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

- (1) The Directorate allocates direct funding to schools through Student Resource Allocation (SRA) for English as an Additional Language/Dialect (EAL/D) in mainstream schools and Introductory English Centres (IECs). The Australian Curriculum, Assessment and Reporting Authority (ACARA) EAL/D Learning Progression Continuum, describing phases of English language acquisition by EAL/D learners, is used to identify student need within the beginning, emerging and developing phases for mainstream allocation.

In IECs, funding levels vary for Secondary and Primary IECs.

The secondary IEC is funded for eight full time teachers, a full time School Leader C and a full time Learning Support Assistant/administrative assistant.

The five primary IECs are each funded based on teacher to student ratio (one teacher to 12 to 15 students).

- (2) EAL/D-specific programs and classes are funded differently in both mainstream settings and IECs.
 - a) In mainstream settings, funding levels differ per school depending on the cohort and their levels of need.
 - b) In IECs, funding levels vary depending whether they are Secondary or Primary IECs.
 - i) The secondary IEC is funded for eight full time teachers, a full time School Leader C and a full time Learning Support Assistant/administrative assistant.
 - ii) The five primary IECs are each funded for a core number of teachers, based upon historic enrolments. When student numbers exceed the teacher to student ratio of one teacher to 12 to 15 students, depending on the complexity of needs, funding for additional staffing is provided.
- (3) EAL/D programs in mainstream ACT public schools are funded through the SRA as a needs-based loading. Therefore, the amount of funding provided to each school differs based on need.
- (4) Funding is provided to enable schools to make appropriate adjustments. A sliding scale of EAL/D support for students and classroom teachers is recommended, based on students' phases of English language proficiency.
- (5) Funding for EAL/D is allocated through SRA on an annual basis. Schools are provided projected funding in September for the purposes of staff planning. The projected funding is adjusted based on February census data and applies for the school year.

During the year, funding for IECs is assessed on whether additional funding is required for additional students and complexity of need. Any additional funding is provided at the end of each term.
- (6) EAL/D funding resources, as with general staffing funds allocations, are used at each principal's discretion based on the operational requirements within their school to deliver educational services. Individual program funding is not required to be acquitted, however, there is an overall reconciliation of total staffing resources.
- (7) Schools use the Casual Relief system to monitor total staffing resources.
- (8) At the end of the school year, schools' total staffing resources are reconciled against the allocated budget. Schools can carry over underspend to a capped limit to the next school year. Schools that spend more than the allocated resources will reimburse funds to the Education Support Office.
- (9) No, the Directorate does not require reporting on EAL/D specific programs.

- (10) The newly released EAL/D assessment suite enables schools to assess and track EAL/D students' English language proficiency against the Australian Curriculum EAL/D Learning Progression.
- (11) Schools engage the parents of EAL/D learners through both holistic community approaches and formally reporting on student achievement.

Schools recognise that families and schools need to work together to support children's learning. Connecting with EAL/D families is part of a wider, structured and holistic approach to culturally respectful practices in schools. Each school approaches EAL/D parental engagement in a way that works for their community and the families involved. IECs involve their families in a number of IEC specific and whole-school events.

Schools—English as an additional language (Question No 1723)

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 21 September 2018:

- (1) How many teachers in ACT schools currently teach English as an Additional Language/Dialect (EALD) classes.
- (2) How many students does each teacher have in their classes.
- (3) Can the Minister provide a breakdown of the qualifications for each teacher from the answer to part (1).
- (4) How many teachers of EALD classes have specific training for teaching of English as a second language (a) what is that specific training and (b) is it compulsory that they do so; if not, why not.
- (5) What electives at university or post graduate professional development training is available for a teacher to become qualified to teach EALD.
- (6) What role does the ACT Teacher Quality Institute have in EALD training or registration of teachers in this specialty.

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

- (1) In every ACT public school, principals are responsible for operational decisions regarding employment of staff and for ensuring the English language acquisition needs of the English as an Additional Language/Dialect (EAL/D) students enrolled in their schools are met. The number of staff in each school with specific EAL/D responsibilities is a school-level operational decision, and is dependent on a number of factors (e.g. number of EAL/D students; levels of English language proficiency of EAL/D students).
- (2) The number of students that a teacher with specific responsibility for EAL/D would have in a class at any one time can vary with consideration given to a number of factors (e.g. level of English language proficiency and social-emotional needs).

- (3) Information about the qualifications of EAL/D teachers in ACT schools is not collected.
- (4) All ACT public school teachers have, at minimum, a university graduate-level teaching qualifications and are responsible for meeting the English language learning needs of all EAL/D students in their classes. Further:
 - a) The Directorate provides regular professional learning in EAL/D Education to support all teachers.
 - b) To comply with the *English as an Additional Language or Dialect Students* procedures, Introductory English Centre (IEC) programs are led and delivered by teachers with specific EAL/D qualifications, specialised training and/or expertise.
- (5) Teacher training and professional development for teachers in ACT public schools is available through ACT Education Directorate specific EAL/D professional learning and teacher training from external sources:
 - a) EAL/D is identified in the syllabus of selected undergraduate units in the Bachelor of Education degrees at the University of Canberra and the Australian Catholic University.
 - b) The University of Canberra offers the following opportunities to gain Teaching English to Speakers of other Languages (TESOL) specific qualifications:
 - i) Graduate Certificate in TESOL and foreign language teaching
 - ii) Graduate Diploma in TESOL and foreign language teaching
 - iii) Master of Arts in TESOL and foreign language teaching
 - iv) TESOL PhD program

Students can also study a minor or a major in TESOL as part of another course.

- (6) The Teacher Quality Institute (TQI) is responsible for registering eligible people or granting permits to teach eligible people including people who have EAL/D qualifications.

TQI accredits initial teacher education (ITE) programs, some of which provide ITE in EAL/D. TQI also accredits teacher education programs, some of which also provide teacher education in EAL/D. Recognised providers choose which programs to submit for accreditation with TQI. TQI advertises the teacher education programs on the teacher portal and enables the process for teachers to reflect on their learning following the completion of the program.

Schools—English as an additional language (Question No 1724)

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 21 September 2018:

- (1) How many schools currently offer English as an Additional Language/Dialect (EALD) specific programs and what are the (a) schools and (b) school years.

- (2) How many Introductory English Centres (IEC) currently operate in ACT schools and (a) where are they located, (b) what school years do they cover and (c) how are classes grouped – for example, by age, level of proficiency or other.
- (3) How does a student enrol in an EALD/IEC and whose decision is it.
- (4) Is transport for a student to attend an IEC or an EALD specific class funded by the ACT Government; if not, why not; if so, can the Minister provide a breakdown of (a) how much per student and (b) which IEC's/EALD specific classes.

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

- (1) All 87 Canberra Public Schools cater for the needs of English as an Additional Language/Dialect (EAL/D) students. Programs look different in each school depending upon students' levels of need and composition of the student cohort. All school years from kindergarten to year 12 have access to EAL/D education programs.
- (2) There are six Introductory English Centres (IECs).
 - a) IECs are located at:
 - i) Secondary Introductory English Centre is located at Dickson College.
 - ii) Belconnen Primary Introductory English Centre is located at Charnwood-Dunlop Primary School.
 - iii) Gungahlin Primary Introductory English Centre is located at Palmerston District Primary School.
 - iv) Northside Primary Introductory English Centre is located at North Ainslie Primary School.
 - v) Southside Primary Introductory English Centre is located at Hughes Primary School.
 - vi) Tuggeranong Primary Introductory English Centre is located at Wanniasa Hills Primary School.
 - b) The Primary IECs cover kindergarten to year 6. The Secondary IEC covers year 7 to year 12.
 - c) IEC classes have a teacher to student ratio of one teacher to 12 to 15 students, depending on the complexity of needs. There is no prescribed formula for grouping classes by age, grade or English language proficiency. The method for grouping classes is determined by the IEC and is context-specific with consideration given to both age and level of English language proficiency.
- (3) The procedures for enrolling a student in an IEC are as follows:
 - a) Families receive support for enrolment procedures at the school-level. Schools may use the Translating and Interpreting service if needed. Families may also receive support from outside agencies involved in their settlement in Australia (e.g. Red Cross).
 - b) Students are correctly enrolled in an ACT public school, in their Priority Enrolment Area school known as the home school, prior to consideration for an IEC placement.

- c) The prospective IEC students are assessed by the home school and the results forwarded to the IEC for consideration. The home school is then contacted and advised of the possibility of placement.
 - d) The home school contact the family and agree on a suitable time for an interview at the IEC. Students may be further assessed by the IEC to confirm their level of English language proficiency and the suitability of an IEC placement.
 - e) A final decision for placement in the IEC is made in consultation with the student, parents/ carers and the home school.
- (4) There are currently five IECs with transport to the centres provided by Transport Canberra through the Special Needs Transport (SNT) service. The centres are:
- a) North Ainslie Primary School (NPIEC);
 - b) Charnwood-Dunlop School (BPIEC);
 - c) Hughes Primary School (SPIEC);
 - d) Palmerston District Primary School (GPIEC); and
 - e) Wanniasa Hills Primary School (TPIEC).

Student numbers tend to fluctuate depending on the intake of refugees into Australia. The decision to provide transport for IEC students rests with the Education Directorate, with eligible student details provided to Transport Canberra to arrange transport as required.

In 2017 a total of 118 IEC students accessed transport services. Some of the students carried over from 2016, some carried over to 2018, depending on their learning capabilities. In 2018 a total of 95 students have used the service, with 53 currently accessing transport and 42 students having exited throughout the year. Students are normally transported on the SNT buses but may be transported by taxi dependant on bus capacity.

Funding for transport of IEC students is provided within the SNT Budget.

Hospitals—nurse to patient ratios (Question No 1727)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

What is the optimum ratio of nurses to patients and what was the actual ratio of nurses to patients as at 1 July 2018 for (a) Ward 10A of the Canberra Hospital (TCH), (b) Ward 9B of TCH, (c) Ward 6B of TCH, (d) Ward 5A of TCH, (e) Ward 5B of TCH, (f) Perioperative Nursing Services at TCH, (g) Ward 9B of TCH, (h) Ward 6A of TCH, (i) Ward 7A of TCH, (j) Ward 7B of TCH, (k) Ward 8B of TCH, (l) the Coronary Care Unit of TCH, (m) the Gastroenterology and Hepatitis Unit, (n) the Centenary Hospital for Women and Children (CHWC) antenatal unit, (o) the CHWC postnatal unit, (p) the

CHWC birth centre, (q) the CHWC birthing suites, (r) the CHWC gynaecological unit, (s) the CHWC paediatric wards, (t) the CHWC adolescent wards, (u) the Hospital in the Home unit, (v) TCH Paediatrics Unit, (w) adolescents who stay in TCH Paediatrics Unit, (x) the CHWC, (y) the Neonatal Intensive Care Unit of the CHWC, (z) the special care nursery at the CHWC, (aa) the level 4 Day Therapy Unit at TCH, (ab) the 14B Oncology Ward of TCH, (ac) the 4A Oncology Ward of TCH, (ad) Radiation Oncology in TCH, (ae) haematology in TCH, (af) the Acute Care Ward for the elderly in TCH, (ag) the Sub Acute Gerontology Unit, (ah) Acute Rehabilitation Unit, (ai) the Intensive Care Unit of TCH, (aj) TCH Emergency Department and (ak) the Acute Surgical Unit.

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

The methodology used to predict workload is the Nurse Hours Per Patient Day (NHPPS), overlaid with a patient acuity indicator, to allow an appropriate and safe care response for patients. This methodology allows wards the flexibility to respond to patients with lower and higher care needs at short notice.

ACT Health recently entered into a Memorandum of Understanding with the Australian Nursing and Midwifery Federation to develop a workload management framework that will consider nurse patient ratios, acuity indicators and nurse hours per patient day to assist in managing nursing and midwifery workload.

Mental health—nurse to patient ratios (Question No 1728)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 21 September 2018:

- (1) What was the nurse to patient ratio for the Adult Mental Health Unit (AMHU) as at 1 July 2018.
- (2) What is the recommended nurse to patient ratio for wards for people with a mental illness.
- (3) What was the number of nurses working in the AMHU, as at 1 July 2018 for (a) FTEs and (b) head count.
- (4) What is the weekly standard number of hours of work for a FTE nurse working in the AMHU.
- (5) What was the average number of hours per week worked per FTE during the period 1 January 2018 to 30 June 2018.
- (6) How many of the current nurse FTE have training in mental health.

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

- (1) The AMHU roster utilises the Nursing Hours per Patient Day (NHPPD) formula to determine the required nursing levels to be rostered per patient/occupied beds over a 24-hour period. As at 1 July 2018 the NHPPD rostering is 11-11-9.

- (2) ACT Health currently uses NHPPD to calculate rosters not ratios.

ACT Health recently entered into a Memorandum of Understanding with the Australian Nursing & Midwifery Foundation to develop a workload management framework that will consider nurse-patient ratios, acuity indicators and NHPPD to assist in managing nursing and midwifery workloads.

- (3) The AMHU nursing staffing profile is:

a) 68 FTE nursing staff, which includes an Assistant Director of Nursing, Clinical Nurse Consultants (CNC), Registered Nurses (RN), Enrolled Nurses (EN), Assistants in Nursing (AIN), Clinical Nurse Educator (CNE), and post graduate and new graduate nurses on placement.

b) The headcount at 1 July 2018 was 64.

- (4) In accordance with the ACT Public Service Nursing and Midwifery Enterprise Agreement 2013-2017 the ordinary hours of work for a FTE nurse is 40 hours per week (with a monthly accrued day off).
- (5) The average number of hours per week a FTE will work is 40 hours (i.e. 5 x 8 hour shifts or 4 x 10 hour night shifts).
- (6) All nursing staff working in the AMHU have training in mental health through their essential education requirement of ACT Health, and specific training during their orientation to the unit. In addition, nurses are required to undergo 30 hours of professional development to maintain their registration with AHPRA.

Mental health—ministerial briefings (Question No 1729)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 21 September 2018:

- (1) How many briefs were prepared for the Minister for Mental Health each month from 1 January 2018 to 30 September 2018.
- (2) Did the Directorate maintain an index of briefs prepared for the Minister for Mental Health between 1 January 2018 and 30 September 2018; if yes, can the Minister append a copy to the answer to this question; if not, why not.
- (3) How many question time briefs were prepared for the Minister for Mental Health each month from 1 January 2018 to 30 September 2018.
- (4) What topics were referenced in the question time briefs for 20 September 2018 for the Minister for Mental Health.
- (5) Were estimates briefs prepared for the Minister for Mental Health before the Health Directorate appeared before the Select Committee on Estimates 2018-2019 on 21 June 2018; if yes, what topics were covered in those briefs; if not, why not.

- (6) Were estimates briefs prepared for senior officials of the Health Directorate before the Select Committee on Estimates 2018-2019 hearings on 21 June 2018; if yes, what topics were covered in those briefs; if not, why not.

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

1.

Month	Number of briefs*
January 2018	12
February 2018	27
March 2018	22
April 2018	28
May 2018	16
June 2018	12
July 2018	11
August 2018	28
September 2018	12

* The above table includes the number of ad-hoc ministerial briefs prepared for the Minister for Mental Health on request.

2. ACT Health Directorate does not maintain an index of ministerial briefs prepared as all ministerial briefs are managed via an electronic document management system (HPE Content Manager).

3.

Assembly sitting month	Number of question time briefs
February 2018	27
March 2018	20
April 2018	21
May 2018	25
June 2018	23
July/August 2018	22
September 2018	22

4. The question time briefs for 20 September 2018 referred to a range of topics including organisational reform, clinical services, program delivery, infrastructure, contract management, budget, workforce matters including organisational culture and work health and safety.
5. Yes. The estimates briefs for the 21 June 2018 Select Committee on Estimates 2018-2019 hearing referred to a range of topics including mental health strategic indicators, budget initiatives, community budget, staffing profiles and key statistics, accreditation, organisational reform, clinical services, program delivery, infrastructure, contract management, budget, workforce matters including organisational culture and work health and safety.
6. Yes. The topics referenced in the estimates briefs prepared for ACT Health Senior Officials for the mental health portfolio were similar to the topics identified in the response to question 5.

Health—ministerial briefings (Question No 1730)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) How many briefs were prepared for the Minister for Health and Wellbeing each month from 1 January 2018 to 30 September 2018.
- (2) Did the Directorate maintain an index of briefs prepared for the Minister for Health and Wellbeing between 1 January 2018 and 30 September 2018; if yes, can the Minister append a copy to the answer to this question; if not, why not.
- (3) How many question time briefs were prepared for the Minister for Health and Wellbeing each month from 1 January 2018 to 30 September 2018.
- (4) What topics were referenced in the question time briefs for 20 September 2018 for the Minister for Health and Wellbeing.
- (5) Were estimates briefs prepared for the Minister for Health and Wellbeing before the Health Directorate appeared before the Select Committee on Estimates 2018-2019 on 21 June 2018; if yes, what topics were covered in those briefs; if not, why not.
- (6) Were estimates briefs prepared for senior officials of the Health Directorate before the Select Committee on Estimates 2018-2019 hearings on 21 June 2018; if yes, what topics were covered in those briefs; if not, why not.

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

1.

Month	Number of briefs*
January 2018	47
February 2018	45
March 2018	60
April 2018	52
May 2018	83
June 2018	58
July 2018	56
August 2018	64
September 2018	47

2. ACT Health Directorate does not maintain an index of ministerial briefs prepared as all ministerial briefs are managed via an electronic document management system (HPE Content Manager).

3.

Assembly sitting month	Number of question time briefs
February 2018	41
March 2018	41
April 2018	45
May 2018	56

Assembly sitting month	Number of question time briefs
June 2018	61
July/August 2018	67
September 2018	64

4. The question time briefs for 20 September 2018 referred to a range of topics including accreditation, organisational reform, hospital performance, clinical services, infrastructure, contract management, maternity, alcohol and drugs, palliative care, end of life, population health matters and work health and safety.
5. Yes. The estimates briefs for the 21 June 2018 Select Committee on Estimates 2018-2019 hearing referred to a range of topics including ACT Health strategic indicators, budget initiatives, community budget, staffing profiles and key statistics, accreditation, organisational reform, hospital performance, clinical services, infrastructure, contract management, maternity, alcohol and drugs, palliative care, end of life, population health matters and work health and safety.
6. Yes. The estimates briefs prepared for ACT Health Senior Officials for the health and wellbeing portfolio included topics identified in response to question 5 that were relevant to their respective portfolios.

Mental health—staffing (Question No 1731)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 21 September 2018:

- (1) Have the transfers of the staff relating to answers given in question on notice No 1573 from the Brian Hennessy Rehabilitation Centre (BHRC) and the Adult Mental Health Day Services (AMHDS) to the mental health facility at the University of Canberra Hospital resulted in vacancies at BHRC or AMHDS; if yes (a) what temporary back-filling arrangements are in place at BHRC and AMHDS and (b) when will the vacancies be filled.
- (2) Have services at BHRC or AMHDS in any way been reduced or otherwise curtailed; if yes (a) to what extent, (b) why have they been reduced or otherwise curtailed, (c) for how long will they remain so and (d) what arrangements are in place to ensure capacity is not put under pressure for lack of staff.

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

- (1) The transfer of Brian Hennessy Rehabilitation Centre (BHRC) and the Adult Mental Health Day Services (AMHDS) to the mental health facility at the University of Canberra Hospital (UCH) did not result in any vacancies.
- (2) The services provided by the AMHDS have not been reduced or curtailed as result of the move to UCH.

The Adult Mental Health Rehabilitation Unit (AMHRU) at UCH provides services in accordance with the Unit's Model of Care. While the AMHRU Model of Care is

different than the BHRC Model of Care, the services provided have not been reduced or curtailed, and are instead provided under a different Model of Care.

Arts—ministerial briefings (Question No 1732)

Mrs Dunne asked the Minister for the Arts and Cultural Events, upon notice, on 21 September 2018:

- (1) How many briefs were prepared for the Minister for the Arts and Cultural Events each month from 1 January 2018 to 30 September 2018.
- (2) Did the Directorate maintain an index of briefs prepared for the Minister for the Arts and Cultural Events between 1 January 2018 and 30 September 2018; if yes, can the Minister append a copy to the answer to this question; if not, why not.
- (3) How many question time briefs were prepared for the Minister for the Arts and Cultural Events each month from 1 January 2018 to 30 September 2018.
- (4) What topics were referenced in the question time briefs for 20 September 2018 for the Minister for the Arts and Cultural Events.
- (5) Were estimates briefs prepared for the Minister for the Arts and Cultural Events before the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) appeared before the Select Committee on Estimates 2018-2019 on 28 June 2018; if yes, what topics were covered in those briefs; if not, why not.
- (6) Were estimates briefs prepared for senior officials of CMTEDD on arts issues before the Select Committee on Estimates 2018-2019 hearings on 28 June 2018; if yes, what topics were covered in those briefs; if not, why not.

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

- (1) There were over 130 briefs prepared for the Minister for Arts and Cultural Events between 1 January 2018 and 30 September 2018, comprising function briefs, meeting briefs and Question Time Briefs. Providing a detailed and accurate monthly breakdown over such a time period requires interrogating and checking a number of systems. This exercise is time consuming and would represent an unreasonable redirection of resources.
- (2) Providing an accurate list of briefs across the agencies that report to the Minister for the time period requested requires interrogating and checking a number of systems. This exercise is time consuming and would represent an unreasonable redirection of resources.
- (3) Question Time Briefs prepared each month from 1 January to 30 September 2018:

artsACT

Jan 2018	Feb 2018	March 2018	April 2018	May 2018	June 2018	July 2018	Aug 2018	Sept 2018
0	12	12	10	10	10	11	0	10

CFC

Jan 2018	Feb 2018	March 2018	April 2018	May 2018	June 2018	July 2018	Aug 2018	Sept 2018
0	4	2	2	3	5	5	0	2

Events ACT

Jan 2018	Feb 2018	March 2018	April 2018	May 2018	June 2018	July 2018	Aug 2018	Sept 2018
0	8	9	9	10	8	8	8	8

(4) Topics referenced in the Question Time Briefs for 20 September 2018 were:

artsACT

Kingston Arts Precinct
Arts Funding
Aboriginal and Torres Strait Islander Arts and Culture
Ministerial Creative Council
Public Art
Arts Infrastructure
ACT Arts Policy/Strategy
Belconnen Arts Centre
New Theatre for the Canberra Region
ANU Music for Colleges Program

CFC

Canberra Museum and Gallery – Cladding in Signage
Theatre ticketing for patrons requiring wheelchair access seats

Events ACT

2018 and 2019 ACT Event Fund
Community Events Summary
Enlighten 2018
ACT Events Policy (ACT Events Framework) and Community Event Strategy
2018 Reconciliation Day Event
New Canberra Festival 2020
Floriade 2018
Floriade 2017

(5) Estimates Briefs were prepared 28 June 2018. The topics covered in those briefs were:

artsACT

Arts Election Commitments and Budget Initiatives
Accountability Indicators/Strategic Objectives
Capital Funding Arts Facilities – (including Belconnen Arts Centre Stage 2)
Arts Facilities Management
Public Art
Kingston Arts Precinct
Arts Funding
Community Outreach Program (including ANU)
ACT Arts Policy
Ministerial Advisory Mechanism

Arts Community Engagement
Engagement with Aboriginal and Torres Strait Islander Arts and Culture
New Canberra Theatre
Social Inclusion and the Arts
Canberra Area Theatre Awards

CFC

CFC estimated financial outcome for 2017-18 and budget for 2018-19
CFC estimated performance outcomes for 2017-18 and targets for 2018-19
CFC estimated staffing numbers for 2018-18 and projection for 2018-19
CFC capital upgrades for 2018-19
More jobs for our growing city – Vocational training for stage and theatre
More jobs for our growing city – Conserving and improving Canberra's historic places
More jobs for our growing city – Upgrading the Canberra Museum and Gallery
More jobs for our growing city – Upgrading the Canberra Theatre Centre
Canberra Museum and Gallery – Acquisition of Social Media Posts
Car parking for theatre patrons – Impact of Constitution Place project
Canberra Museum and Gallery – Cladding in signage
Physical Security Performance Audit: CFC Coverage
Water Damage to Calthorpes' House
CFC Capital project funding for CTC and Lanyon – initiatives for people with special needs
CFC Capital project funding for the Canberra Museum and Gallery – content and benefits

Events ACT

New Canberra Festival 2020
Floriade 2017 and 2018
Enlighten 2018
2018 ACT Event Fund
2018 Reconciliation Day Event
Canberra Innovation Festival
Community Events Summary
ACT Events Policy (ACT Events Framework) and Community Event Strategy

- (6) There were no specific senior official briefs prepared for artsACT, CFC or Events ACT.

ACT Health—infrastructure upgrade (Question No 1733)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) In relation to the payments made to Shape Australia Pty Ltd (a) what items and at what cost per item were procured in the payment of \$39 355.58, made on 12 July 2018, (b) what remediation works were undertaken in the birthing suites for the payment of \$105 691.97, made on 26 July 2018 and (c) why were the works required.

- (2) In relation to payments made to Shaw Building Group Pty Ltd (a) what works were undertaken under the Upgrade and Maintain ACT Health Assets (UMAHA) program for the payment of \$327 872.95 on 5 July 2018 and what was the cost of each work project, (b) what works were undertaken under the Capital Upgrade Program Bundle 2015-18 for the payment of \$94 142.36 made on 19 July 2018 and what was the cost of each work project, (c) what works related to the payment of \$93 031.74, made on 26 July 2018 for continuity of service – essential infrastructure the Canberra Hospital, (d) what works were undertaken under the UMAHA program for the payment of \$236 319.96, made on 26 July 2018 and what was the cost of each work project.
- (3) In relation to the Capital Upgrade Program Bundle 2015-18 (a) what works and at what cost for each project comprise the Capital Upgrade Program Bundle 2015-18, (b) who undertook those works (c) by what process was the need for these works assessed and by whom, (d) is the program running to schedule and to budget; if not, why not, (e) what works and at what cost remain to be completed and (f) how is the program bundle different to the UMAHA program.
- (4) Why did it take from 17 May 2018 to 24 July 2018 to make the payment of \$142 386.27 to Comensura Pty Ltd.
- (5) Why did it take from 4 June 2018 to 26 July 2018 to make the payment of \$503 817.75 to Kestral Computing Pty Ltd.

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

- (1) a) Head Contractor and Consultancy fees for design associated with the UMAHA Nursecall and ICT Package including (figures excluding GST)

1	CCJ Architect	\$5,005
2	WSP Services Engineers	\$19,810
3	BCA Certifier	\$1,080
4	Head Contractor Services	\$9882.80
	Total	\$35 777.80
	Total (including GST)	\$39,355.58

- b) Replacement of existing spindles extensions with mixing valves and associated building works.
- c) Replacement of existing spindles extensions with mixing valves and associated building works for damage caused as a result of identified water leaks.
- (2) a) Relates to the Building 2 and Building 12 Electrical Main Switchboard Replacement Project.
- b) Building 10 Treatment Tanks (Trade Waste treatment system), concrete works, passive fire, hydraulics works, preliminaries, removal of contaminated soil, soil sampling, disconnection of existing diesel lines and vibration monitoring.

c)

1	Gas meter/ enclosure replacement	\$32,812.94
2	Carpark entry/exit design	\$2,822.00
3	External signage	\$678.89

4	Kerbs and pram ramps outside Building 5 and National Capital Hospital	\$13,258.90
5	Walkway balustrades and panels on Hospital Road and connection to southern carpark	\$8,381.52
6	Footpath works	\$26,620.06
	Total	\$84,574.31
	Total including GST	\$93,031.74

- d) This work relates to the Building 2 and Building 12 Electrical Main Switchboard Replacement Project.

(3) a)

1	Building 1 design cost + Management Fee Negative Pressure Doors, HITH, Mailroom	\$33,688
2	Gaunt Place(CATT) design cost + Management Fee	\$64,177
3	Building 12 ICU staff stations design cost + Management Fee	\$9,139
4	Mail Room Stage 2 Construction	\$299,271.06
5	ICU Staff Station Stage 2 Construction	\$139,111.94
6	Negative Pressure Doors Stage 2 Construction	\$79,990.25
7	Gaunt Place – Internal refurbishment of CATT at Gaunt Place	\$210,569.64
8	Tunnel Remediation – Fix water leaks and drainage:	\$227,301.98
9	Evacuation Paths – Construction of concrete evacuation paths from Building 11	\$128,153.39
10	Dickson Health – Refurbishment of the MACH at Dickson health	\$315,933.88
11	Birthing Baths – Replacement of five birthing baths in Building 11	\$222,493.12
12	Building 10 Treatment Tanks – Replacement Trade Waste treatment system for Building 10	\$716,317.72
13	Building 10 Heat Load – Investigation into Building 10 HVAC system	\$40,716.15
14	Building 10 Essential Power - Investigation into Building 10 electrical system	\$221,691.65
15	Building 10 Steam - Investigation into Building 1 & 10 steam generation system	\$17,525.15
16	Mortuary Clip-On – Extension of the mortuary in Building 10, including new cool room	\$836,284
17	Pathology Temporary Cooling units – Portable AC units to keep equipment within calibration temperatures	\$30,262.65

- b) The Capital Upgrade Program bundle for 2015-18 is a single contract with Shaw Building Group to deliver small capital upgrade projects.
- c) Capital Upgrade Program projects within the bundle have their designs developed for detailed cost estimation as the first stage of a two stage process. Projects are then prioritised. These projects were assessed according to their priority as part of the Capital Upgrade Program.
- d) Works are complete.

- e) Outstanding costs for the bundle package relate to works complete but not yet invoiced to the Territory. The contract as a whole is substantially complete with only minor works remaining on the final two projects with an anticipated invoice amount of \$25,000 to \$30,000 outstanding.
 - f) The Capital Upgrade Program now known as The Better Infrastructure Fund is an annual program of work involving minor building upgrades, mechanical, fire and safety upgrades and services infrastructure upgrades. The UMAHA program relates to a 2016/17 appropriation developed to address identified extreme/high risk infrastructure issues across ACT Health facilities and medium/low risk items associated with the Building 2/3 Redevelopment Project at Canberra Hospital.
- (4) The delay in payment of the \$142 386.27 to Comensura Pty Ltd is due to the investigation work required to ensure the accuracy of the charges on the invoice as this company is the business partner across multiple areas of the Directorate. The business process of handling such invoices has since been improved and the time required has shortened significantly.
- (5) The delay in payment of the \$503 817.75 to Kestral Computing Pty Ltd. was due to following up with the line area so the contract could be reviewed to ensure the invoice was consistent with the contract provisions for licensing and support of the Pathology Laboratory System.
-

Hospitals—sentinel events (Question No 1735)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) Were any procedures undertaken on the (a) wrong patient or (b) body part resulting in death or major permanent loss of function; if so, how many in relation to each of the answers given at parts (a) and (b) in relation to sentinel events in the ACT Health System during 2017-18.
- (2) Were there any suicides in an inpatient unit; if so (a) which units and (b) how many in each unit.
- (3) Were there any procedures in which instruments or other materials were not accounted for in a post-operative count; if so (a) how many cases and (b) how many cases required re-operation or further surgical procedure.
- (4) Were there any intravascular gas embolisms resulting in death or neurological damage; if so, how many.
- (5) Were there any haemolytic blood transfusion reactions resulting from ABO blood group incompatibilities; if so, how many.
- (6) Were there any medication errors leading to the death of a patient reasonably believed to be due to the incorrect administration of drugs; if so, how many.

- (7) Were there any maternal deaths associated with pregnancy, birth, or the puerperium; if so, how many.
- (8) Were there any infants discharged to the wrong family; if so, how many.
- (9) Has the Australian Commission on Safety and Quality in Health Care finished its review of the National Sentinel Events List; if so (a) when, (b) what conclusions were drawn and (c) what recommendations were made.
- (10) When is the COAG Health Council due to consider the review of the National Sentinel Events List.

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

- (1) No.
- (2) No.
- (3) One surgical procedure resulted in retained material which required further surgical procedure.
- (4) No.
- (5) No.
- (6) No.
- (7) No.
- (8) No.
- (9) No.
- (10) Before the National Sentinel Events List can be reviewed by COAG Health Council, the Australian Commission on Safety and Quality in Health Care's (ACSQHC) Inter-Jurisdictional Committee need to seek endorsement of the revised sentinel event list at its meeting in early October 2018. If the revised Australian Sentinel Events List is agreed by the Inter-Jurisdictional Committee, it will then progress to the Australian Health Ministers' Advisory Council and then to COAG Health Council for endorsement.

ACT Health—disciplinary action (Question No 1737)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) Has the Minister's Directorate had to take disciplinary action against any staff in the period between 1 January 2017 and the date this question was placed on the notice paper; if yes (a) how many staff were disciplined, (b) what was the nature of the offences and (c) what range of penalties were imposed.

- (2) Were any staff disciplined for unauthorised disclosure of information; if yes, (a) in what areas did those staff work and (b) when did the disciplinary action take place.

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

1. Yes, ACT Health has had to take disciplinary action against staff in the period between 1 January 2017 inclusive to 21 September 2018.
 - a) ACT Health referred 25 cases for investigation to the Professional Standards Unit (PSU) for the period of 1 January 2017 inclusive to 21 September 2018. Of those 25 referrals, 7 sanctions were issued to employees following an investigation.
 - b) The nature of allegations that were referred to PSU include:

Item	Amount of cases referred
Fraud	1
Drug and Alcohol	1
Inappropriate behaviour	14
Bullying and Harassment	4
Unauthorised disclosure of information	1
Misuse of timesheets	1
Assault	1
Theft	2

- c) Of those 25 referrals to PSU, the following penalties were imposed by an ACT Health delegate.

Item	Number
Written warning and admonishment	2
Financial penalty	
<i>Reduce employee's incremental level</i>	1
<i>Defer employee's incremental level</i>	
<i>Impose fine on the employee</i>	
<i>Fully or partially reimburse the employer</i>	
Transfer the employee	
Remove any monetary benefit from ARiN or SEA	
Termination of the employee	4
Not proven	4
Resigned before PSU investigation was completed	7

*4 cases are still being investigated by the PSU.

**3 cases are pending a sanction by the delegate

2. Yes, 1 employee was disciplined for unauthorised disclosure of information.
 - a) The employee worked in one of our Clinical Services.
 - b) The incident occurred in May 2018.

Schools—physical education (Question No 1739)

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 21 September 2018:

- (1) Are assessments done of all ACT schools to ensure the ACT Physical Education and Sport Policy is being delivered; if so, who does the assessment and how often; if not, why not.
- (2) Are recess periods considered moderate to vigorous physical activity.
- (3) Are recess periods included in the 25 minutes per day/150 minutes per week as outlined in the policy.

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

- (1) The Canberra Public Schools Compliance Checklist is used by school principals to check that all legislative and policy requirements relevant to running schools have been met. The checklist is completed each semester and results, including partial compliance, are reported to the school board. The checklist covers the requirements specified in the *Physical Education and Sport Policy*, including the requirements regarding time spent performing moderate to vigorous physical activity.
- (2) Students undertake a variety of activities at recess, some of which could be considered moderate to vigorous physical activity.
- (3) Recess periods are not included in the planned physical education and sport programs as outlined in the *Physical Education and Sport Policy*.

Courts—heritage value (Question No 1740)

Ms Lee asked the Attorney-General, upon notice, on 21 September 2018:

- (1) What steps have been taken to preserve the heritage values of court rooms in the process of the Supreme Court renovations and (a) what were the costs associated with these steps, (b) when did these steps occur and (c) did the Minister consult any stakeholders during this process; if so, who and what feedback was received; if not, why not.
- (2) Can the Minister list the factors and/or considerations which led to the decision that Court Room One should be stripped and the panelling and plaques removed.
- (3) Was the decision to renovate Court Room One in line with the heritage assessment of the site made prior to the renovation; if not, why not.

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

- (1) Heritage impacts on the existing building were a major consideration during the development of this project. A Conservation Management Plan (CMP) for the building was drafted by a specialist in the field and endorsed by the Heritage Council in January 2013. The cost for the development of the CMP was \$27,500.

In summary those recommendations were that some significant fabric of the building (the marble façade, raised podium, window and door openings and overall building form) needed to be conserved. Interior elements (the timber panelling and explanatory plaques) could be relocated and interpreted.

During the development of the project early and consistent engagement was sought from the ACT Heritage Council, National Trust and Australian Institute of Architects (the Institute) to ensure that the project would be supported through the National Capital Authority (NCA) Works Approval process.

Both the National Trust and the Institute provided submissions to the NCA, thanking the project team for considering the heritage aspects of the building and for the sympathetic approach to the re-use of the building.

The Project Team have consulted with the profession (through either the Law Society or the Bar Association) on over a dozen occasions through the inception, design and construction phases of the project.

- (2) The project was tendered as a Public Private Partnership (PPP), with two consortia being shortlisted for consideration. The treatment of heritage in the designs was an assessable criteria. The winning proposal included a design that refurbished existing courtrooms one and two while making meaningful use of the timber panelling and plaques in other areas of the facility. It was a requirement of the tender process that proposals met or exceeded the recommendation of the CMP, which the winning proposal did.

The drivers around replacing and upgrading individual courtrooms are the same as the needs which led to the entire courts facility project being initiated; the need to improve security, lack of secure custodial access to courtrooms, aging infrastructure and piecemeal development of audio visual equipment.

- (3) Yes.

Animals—dog attack (Question No 1741)

Ms Lawder asked the Minister for City Services, upon notice, on 21 September 2018:

- (1) How many dogs were on the premises at the time of the attack on Mr Daniel Meyers in Belconnen on 15 March 2016.
- (2) Was the owner of the attacking dog/s identified.
- (3) Was the attacking dog/s seized or held by Domestic Animal Services (DAS).
- (4) Had the attacking dog/s come to the attention of DAS previously; if so, (a) was the dog/s registered, (b) was the dog/s microchipped, (c) what action had previously been taken by DAS against the owners and (d) what action had previously been taken by DAS against the dog/s.
- (5) What happened to the attacking dog/s after the attack.
- (6) If a dog/s was (a) euthanised, when did that happen, (b) not euthanised, what happened to the dog/s, (c) not euthanised, how long was it held by DAS.

- (7) If a dog/s was returned to its owner (a) was the owner charged holding fees for the dog/s for that period, (b) were any DAS charges waived, (c) was the dog registered prior to being released, (d) was the owner charged with a fee for registration, (e) were registration fees waived, (f) was the dog microchipped prior to release, (g) was the dog desexed prior to release, (h) and it was it was desexed, who paid for the procedure and (i) has that dog subsequently come to the attention of DAS since the date of the attack on 15 March 2016.
- (8) Has the owner of the dog/s identified in the attack on 15 March 2016 (a) had any dog that was in their care or ownership come to the attention of DAS since and (b) ever had any fees or charges waived for charges incurred by or due to DAS.

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

- (1) Two.
- (2) Yes.
- (3) Yes, both dogs were seized.
- (4) Yes.
(a) Neither dog was registered.
(b) Only one dog was microchipped.
(c) A Warning Notice had been issued.
(d) A Warning Notice had been issued.
- (5) Both dogs were seized and impounded.
- (6)
(a) One dog was euthanised on 20 July 2016.
(b) The second dog was held by DAS and eventually surrendered to DAS. It was subsequently rehomed on 11 August 2017.
(c) 514 days.
- (7) Neither dog was returned to the owner/s.
(a) N/A.
(b) No.
(c) Yes.
(d) Yes.
(e) No.
(f) Yes.
(g) The new owner organised the de-sexing of the dog on its impoundment at a private veterinary clinic.
(h) The new owner.
(i) No.
- (8)
(a) No.
(b) No.
-

**Environment—Ngunnawal trail
(Question No 1742)**

Ms Lawder asked the Minister for the Environment and Heritage, upon notice, on 21 September 2018:

- (1) Does the proposed walking track, the Ngunnawal Trail in the Cuppacumbalong Homestead, literally run from Lanyon Homestead, and where exactly or from the Lanyon Historic Precinct Boundary; if so where.
- (2) Can the Minister provide a detailed map showing the proposed walking trail especially highlighting the route it takes within the Lanyon Homestead Historic Precinct.
- (3) What consultation took place regarding this walking track – with who, what organisations, what form did the consultation take, what were the relevant dates of any letters, meetings, briefings, etc. and who was present at each.
- (4) Who receives the grant funds.
- (5) What is the legal relationship between Cuppacumbalong and Murrumbidgee River Corridor.
- (6) Why was the leaseholder at Lanyon not consulted (he has stated in writing that he has not been consulted).
- (7) Where in either draft 1 or 2 of the Tharwa Draft Master Plans does this walking track appear.
- (8) How does the walking track become fact in the final Tharwa Master Plan, without consultation with the main affected leaseholder, let alone public consultation, given it is a Considered Master Plan not a Development Application.
- (9) Can the Minister provide a copy of the risk analysis for this walking track, including specific information about fire hazard/risk (within Bushfire Abatement Zone) threat to livestock from dogs both on and off lead, biosecurity safeguards, provisions for litter, emergency vehicle access, increased pedestrian access/egress across Tharwa Bridge, parking/pedestrian facilities (eastern bank Murrumbidgee) and animal welfare along track, security and privacy to residents living immediately adjacent to the proposed track.
- (10) What redress does the major affected leaseholder have in terms of detriment to their farming operation, deprivation of income, devaluation of his asset and compromise of his family's security and privacy.
- (11) Was there any reference in the application for a grant to any existing walking track being upgraded, or is this a new walking track.
- (12) Given that the walking track development installation, maintenance inspection and policing along the river is the core business to the Environment, Planning and Sustainable Development Directorate on a day to day operational basis, why was this grant approved in reference to page 8 of the ACT Heritage Grants Guides 2018/19.

- (13) What due diligence of the application did the Directorate undertake to ensure consultation with all affected parties and ensuring that animal welfare, protection of income, and fire hazards were considered.
- (14) Did the application state that all affected parties had been consulted; if so, what evidence was provided and what checking of claims did the Directorate undertake.

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

- (1) An ACT Heritage Grant (the Grant), amounting \$21,000, was awarded to the leaseholder of Cuppacumbalong to develop a walking trail that links Cuppacumbalong and Lanyon Homesteads along an existing walking track and fire break within the Murrumbidgee River Corridor.

Grant funding specifically includes:

- (i) planning and consultation with key stakeholders;
 - (ii) design and installation of interpretation at Cuppacumbalong Homestead and De Salis Cemetery; and
 - (iii) design and installation of two resting points and orientation markers within the Murrumbidgee River Corridor.
- (2) The Grant was awarded on 12 September 2018. Detailed planning of the trail has not commenced.
- Planning will be subject to consultation with key stakeholders including Representative Aboriginal Organisations, rural leaseholders, ACT Historic Places and the ACT Parks and Conservation Service.
- (3) As part of the Grant application the concept of the trail was consulted with the following:

Organisation	Attendees	Date
Tharwa Community Association	Secretary	Early April 2018
ACT Parks & Conservation Service (PCS)	Bernie Brown (PCS) Penny Spoelder (HP) Ali Wass Cuppacumbalong Homestead(CH)	28 February 2018
ACT Historic Places Director (HP)	Ali Wass, (CH)	28 February 2018
Rural leaseholder	Penny Spoelder (HP)	1 March 2018
Office of Aboriginal & Torres Strait Islander Affairs (ATSIA)	Email from Ali Wass (CH) Carolyn Hughes (ATSIA) discussion with Ali Wass (CH)	March 2018
Buru Ngunawal Traditional Custodian Group	Penny Spoelder (HP) Wally Bell (elder)	February 2018
United Ngunnawal Elders Council	Email from Ali Wass (CH)	30 April 2018
Little Gudgenby River Tribal Council	Phone message/text to Matilda House	February 2018
Ngarigu Currawong Clan	Email and phone – Anne Marie Jean	February 2018

Organisation	Attendees	Date
King Brown Tribal Group	Email and phone – Anne Marie Jean	February 2018
Tharwa Community Council	Ali Wass and Penny Spoelder	March 2018

- (4) The Grant was awarded to the applicant, Ms Ali Wass, leaseholder of Cuppacumbalong Homestead, Tharwa.
- (5) The only mention of the ‘river’ in the Crown leases granted over Blocks 177 & 186 Paddys River and Block 11 Section 10 Tharwa, known as Cuppacumbalong, are in relation to the purpose clause.

The purpose clause for Blocks 177 & 186 Paddys River provides for, among other uses “...THAT the tourist facility operated on the land shall be directly related to the use of the river;...”

The purpose clause for Block 11 Section 10 Tharwa provides for, among other uses “...THAT farm tourism and tourist facility operating on the land shall be directly related to the use of the river...”.

- (6) The rural leaseholder’s property is located on the boundary of the Lanyon Historic Precinct and the Murrumbidgee River Corridor.

The concept of the trail was discussed with the rural leaseholder and the Director of ACT Historic Places (managers of the Lanyon Historic Precinct) on 1 March 2018. At the meeting the leaseholder expressed concerns with the concept, and did not support the trail. Concerns expressed were associated with use of the trail by walkers, trail bikes, the potential risk of fire, rubbish, bikes, dogs, security, privacy and camping and other illegal activities.

The rural leaseholder’s concerns were communicated via the Director of ACT Historic Places to the Grant applicant and ACT Parks and Conservation Service on 2 March 2018.

The leaseholder’s concerns were indicated in the Grant application.

Grant funding has been provided specifically for further consultation and detailed planning with key stakeholders including the rural leaseholder.

- (7) The Tharwa Draft Village Plan provided draft recommendations as a basis for further community engagement and development of the final Tharwa Village Plan. Page 30 of the Tharwa Draft Village Plan (Background and Analysis) highlights the existing heritage and recreational walking networks in the area.

A key recommendation of the Tharwa Draft Village Plan included to protect and enhance Tharwa’s history (both Aboriginal and European), and protecting and enhancing the natural environment, including improving the riparian zone of the Murrumbidgee River to benefit recreation opportunities.

- (8) Community engagement on the Tharwa Draft Village Plan found strong support for the upgrade of the Tharwa Explorer Track and the development of wider regional path connections (such as with the Namadgi Visitor's Centre, the Gigerline Nature Reserve and Lanyon Homestead) including improved equestrian connections through Tharwa incorporating the Bicentennial National Trail. The final Tharwa Village Plan recommends the upgrade of the Tharwa Explorer Track, including the consideration of improved regional path connections and equestrian routes incorporating the Bicentennial National Trail.
- (9) Grant funding has been provided specifically for further consultation and detailed planning with key stakeholders. The risks associated with proposed walking trail will be considered as part of the consultation process.
- (10) The risk of the proposed trail impacting on the rural leaseholder's farming operation and the likelihood of deprivation of income, devaluation of assets and compromise of his family's security and privacy is considered low.

Lanyon Homestead received 50,000 visitors last year. The boundaries of Lanyon Historic Precinct are surrounded by the rural leasehold. There were no reported issues from the rural leaseholder as a result of the record number of visitors.

Notwithstanding, these issues will be discussed as part of the further consultation and detailed planning required of the Grant.

- (11) The proposed trail follows an existing walking trail (Tharwa Explorer Track) and fire break linking Cuppacumbalong and Lanyon Homesteads along the Murrumbidgee River Corridor.

There are several walking tracks within the Lanyon Historic Precinct and the potential to utilise an existing trail to access the Murrumbidgee River Corridor will also be investigated.

- (12) The Grant was awarded to the applicant, Ms Ali Wass, leaseholder of Cuppacumbalong Homestead, Tharwa.

The projects meets the following three 2018-19 funding priorities:

- Projects that provide partnership opportunities between community organisations and ACT Government agencies;
- Community projects that increase the utilisation, awareness and engagement in heritage places through education (of all ages), oral histories, tourism, interpretation and events;
- Aboriginal projects initiated by or involving the local Aboriginal community in local heritage activities.

- (13) Evidence of consultation with relevant parties as required under the 'ACT Heritage Grants Program Guidelines for Applications 2018-2019' (the Guidelines) was provided by the applicant.

This included the requirement "that projects with Aboriginal heritage content must include evidence of consultation with the Representative Aboriginal Organisations (RAOs)", a record of such consultation was provided as detailed in response to Q3.

(14) See response to Question 13.

ACT Ambulance Service—charges (Question No 1743)

Ms Le Couteur asked the Treasurer, upon notice, on 21 September 2018 (*redirected to the Minister for Government Services and Procurement*):

- (1) How much was charged by the ACT Government for Ambulance services and how many services were provided for each of the last three years to (a) private individuals and of these how many were individuals who had more than one service in a year, (b) health insurance funds, (c) entities required to pay under worker's compensation, third party compensation or other similar legal requirements and (d) any other entities.
- (2) What is the exemption or waiver category that applications from people who were "struggling to pay their for Ambulance fee" are assessed under.
- (3) How many applications, how much money did the applications amount to and how much money was made by the ACT Government by exemption category or waiver for each of the last three years and (a) how much money, if any, in each category, was forgone or forgiven, by the ACT Government and (b) How much money is currently outstanding to the ACT Government broken down by exemption category, or otherwise (ie people who have not paid but not claimed they were struggling to pay).

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

- (1) ACT Shared Services is able to provide the following information on the number of potentially billable ambulance invoices (expressed in dollar amounts and number of invoices raised).

(a) Private individuals by financial year:

Invoiced Ambulance Services	2015-16		2016-17		2017-18	
	Amount	Number	Amount	Number	Amount	Number
Invoices to Private Individuals	\$13.307m	16,187	\$14.438m	17,345	\$14.812m	17,625
Private individuals with multiple transport		1,768		1,843		1,929

- (b) No billable invoices for ambulance services are recorded as being provided directly to Health Insurance Funds during the financial years 2017-18, 2016-17, and 2016-15. See question 3 (exemption from Ambulance fee).

- (c) Invoice information about worker's compensation, third party compensation or similar legal requirement is subsumed under the total number of invoices raised to private individuals. Information about derivative use of issued invoices is not collected.

(d) Any other entities by financial year:

Other Invoiced Entities	2015-16		2016-17		2017-18	
	Amount	Number	Amount	Number	Amount	Number
Department of Veterans Affairs Invoices	\$0.784m	1,089	\$0.864m	1,179	\$0.905m	1,208
Other additional invoiced categories – including Hospital to Hospital Transports, Services related to events etc (Number is the invoice volume, noting a single invoice may contain recovery for multiple services)	\$0.643m	354	\$0.570m	288	\$0.602m	284

- (2) There is no fee exemption pursuant to the *Emergencies (Fees) Determination 2018* for people who are struggling to pay their ambulance fee.

A fee waiver mechanism, permanently extinguishing a debt is available to the Chief Officer, ACT Ambulance Service where the Chief Officer is satisfied that exceptional personal or other circumstances apply to a person to whom ambulance services were provided. Exceptional personal or other circumstances are defined in Schedule 2, *Emergencies (Fees) Determination 2018*.

- (3) If an exemption applies under Section 5, *Emergencies (Fees) Determination 2018*, the person who received the ambulance service is not required to pay the Ambulance fee. A fee for items 294, 295 and 297 is not payable:

- (a) by ACT school students who are injured or become ill at school or during approved school excursions within the ACT; or
- (b) by residents of the ACT, New South Wales, Victoria, Tasmania or Northern Territory who, at the time the service was provided, held a current valid relevant concession card which includes an entitlement to free ambulance services under Commonwealth Government Department of Human Services provisions; or
- (c) by persons who have been arrested and/or are in lawful custody; or
- (d) by an entitled person, as defined in the *Children and Young People Act 2008*; or
- (e) where the ambulance services were provided to a person in relation to performing a good Samaritan act; or
- (f) for ambulance services provided following an incident involving a motor vehicle on a road or road related area in the ACT; or
- (g) where ambulance services were provided to a person who was deceased, or was unable to be resuscitated, while in the care of ACTAS officers; or
- (h) by a person who is a victim of domestic or family violence; or
- (i) by a person who is a victim of sexual assault.

If an invoice for an Ambulance fee is issued to the person who received the service, and the invoice is subsequently identified under an eligible exemption category, then no money can be outstanding to the ACT Government and, therefore, no money is 'made'.

- (a) A breakdown of the invoices issued by financial year, where the individual is subsequently identified as an eligible exemption from the Ambulance fee, is detailed below. This table also includes figures on invoice adjustments for private health insurance. Private health insurance companies carrying out business in the ACT pay an Ambulance Levy calculated on the number and type of private health insurance contributions. Once advice is received from a private health insurance company that an ambulance service has been covered by the Ambulance Levy the ambulance service is treated as an exemption.

Invoice adjustments by exemption or waiver	2015-16		2016-17		2017-18	
	Amount	Number	Amount	Number	Amount	Number
ACTAS approved waiver or exemption						
Cancellation, wrongful billing, section 38 (2), <i>Emergencies Act 2004</i>	Nil	Nil	\$0.012m	16	\$0.012m	15
Waiver – exceptional personal or other circumstances.	Nil	Nil	\$0.015m	18	\$0.019m	23
ACTAS approved waiver or exemption – Sub Total			\$0.028m	34	\$0.031m	38
Private Health Insurance	\$5.834m	7,091	\$6.178m	7,507	\$7.050m	8,433
Pension and Concession Card Holders	\$2.540m	3,147	\$2.620m	3,188	\$3.370m	4,117
Reciprocal State or Territory arrangement	\$0.031m	38	\$0.042m	50	\$0.041m	47
Road Traffic Accident	-	-	\$0.004m	5	\$0.002m	2
School Students	\$0.005m	6	\$0.008m	9	\$0.013m	15
Grand Total	\$8.410m	10,282	\$8.880m	10,793	\$10.507m	12,652

- (b) The ACT Government is generally unaware of the specific exemption or waiver a recipient may seek to utilise. A money value cannot be attributed to an exemption or waiver until such time as the invoice recipient notifies the ACT Government of their intention to seek either the exemption or the waiver.

Chief Minister's Charitable Fund—administration (Question No 1744)

Ms Le Couteur asked the Chief Minister, upon notice, on 21 September 2018:

- (1) What percentage of funding from the Chief Minister's Charitable Fund will be spent on administrative activities.
- (2) Has the ACT Government provided a target or a maximum percentage of funds that can be spent on administration.
- (3) What will be the reporting requirements for the fund to ensure transparency and accountability regarding the allocation of funding and the Fund's administrative costs.
- (4) What will be the process for community organisations to apply for funding through the Chief Minister's Charitable Fund, how will applications be considered and against what criteria.

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

- (1) Based on the Government's financial contribution of \$5 million to the Chief Minister's Charitable Fund, 4.5% in the first year and 2.5% in later years will be spent on administrative fees and expenses. This is at the lower end of administrative expenses for funds of this nature.
- (2) The Chief Minister's Charitable Fund Funding Deed is publicly available on the ACT Government web site and provides for a maximum of \$225,000 to be spent on administrative fees and costs in the first year of operation, and a maximum of \$125,000 in subsequent years.
- (3) Within 30 days of signing of the Funding Deed, the Chief Minister's Charitable Fund was required to provide to the Territory for its approval a Business Plan in respect of the 2018-19 Financial Year. On or before 30 May 2019, the Chief Minister's Charitable Fund must provide to the Territory a Business Plan in respect of the

forthcoming two years. At each Board meeting the Chief Minister's Charitable Fund must provide a written report with respect to the Funded Activities outlined in the Funding Deed undertaken in the period. Commencing on 31 August 2019, on or before each 31 August during the Term and upon expiration of the Term, the Chief Minister's Charitable Fund must provide to the Territory an Annual Report for the previous Financial Year. An official observer, to be appointed by the Territory, will receive copies of all Chief Minister's Charitable Fund Board papers and will be able to attend Board meetings.

- (4) The process for community organisations to apply for funding through the Chief Minister's Charitable Fund is still under consideration and development. A local charity, Hands Across Canberra, has been appointed as the administrator of the Chief Minister's Charitable Fund and is consulting with the community regarding expectations. It is anticipated that the final process will build on Hands Across Canberra's expertise and the annual community grants program currently delivered by that organisation.

Disability services—grants (Question No 1745)

Ms Le Couteur asked the Minister for Disability, upon notice, on 21 September 2018:

Will funding under the Disability Inclusion Grants Program extend to supporting community groups, organisations and small businesses to become more inclusive and accessible for people living with dementia.

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

- (1) The Disability Inclusion Grants Program is designed to promote the inclusion of people with disability by removing hurdles to social participation. This will benefit all members of the community, including people with cognitive disability, which encompass people living with dementia.

Small businesses and community groups looking to support people with dementia with a suitable project are welcome to apply in the 2019 grant round.

Community services—project funding (Question No 1746)

Ms Le Couteur asked the Minister for Community Services and Facilities, upon notice, on 21 September 2018 (*redirected to the Minister for Children, Youth and Families*):

- (1) What funding is being considered in scope for the Early Intervention by Design Project.

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

Government and non-government human services are in-scope for the Early Support by Design project. This includes services funded and provided by the Community Services

Directorate, Justice and Community Safety Directorate, Education Directorate, and ACT Health. Initially, work is being undertaken on both Community Services and Health Sub Sector Funding Plans that relate to Early support service provision. This will be undertaken as part of recontracting for these sub sector funding plans for 1 July 2019.

Elections ACT—electronic voting systems (Question No 1747)

Ms Le Couteur asked the Minister for Justice, Consumer Affairs and Road Safety, upon notice, on 21 September 2018 (*redirected to the Speaker*):

- (1) Why do some of the ACT's election systems (for example electronic voting and counting system, the vote collection and counting module) have publicly available designs and code, and others (such as electoral rolls and paper ballot scanning) keep the code secret.
- (2) Why doesn't Elections ACT follow best practice as most security experts say that keeping designs secret doesn't help security, instead, they say that system security should depend on public designs, and secret passwords or keys.
- (3) How can scrutineers review the operation of the ACT's electronic election systems, when the vendors, designs, and code are secret.
- (4) Should public money be spent on systems where the vendors, designs, and code are kept secret; if so, how is this efficient or transparent.
- (5) Has Elections ACT considered using electronic systems that are also used by other jurisdictions for example, Victoria uses suVote, and NSW and WA use iVote.

Ms J Burch: The questions were referred to the ACT Electoral Commissioner, Mr Damian Cantwell AM, and his answer, through the Speaker, to the member's question is as follows:

1. The purpose and benefit of making an election system source code publicly available is to allow transparent review by interested parties and ensure that it is devoid of code, malicious or unintentional, that may allow for the manipulation of voter preferences. The ACT Electoral Commission considers an open source methodology essential for a system that is directly accepting, storing and counting voter's preferences in a parliamentary election. Accordingly, the Commission has used open sourced methodology for its electronic voting and counting system (eVACS) since its inception in 2001. Open source code also provides an opportunity for those with less lawful intentions to discover and possibly exploit vulnerabilities in the system. A balance needs to be met against these two conflicting elements. For eVACS, the Commission has always viewed the importance of transparency as paramount and has accordingly released the source code for public scrutiny.

However, the situation is different for the electronic electoral roll system and ballot paper scanning. Both of these systems are commercially developed products that do not directly capture or count votes. In relation to these two systems the Commission has taken the view that the value of transparency through open source does not outweigh the potential security risk of exposing the system to public and open review. In relation to the electoral roll system, there is no relation to this system and an elector's vote,

minimising the potential for incorrect or inappropriate code that threatens the integrity of the election outcome. In relation to the ballot paper scanning system, the Commission addresses the risk of malicious or incorrect code by employing an independent professional organisation to audit the software, certifying that the code does not introduce any form of manipulation. A stringent testing regime, comparing known results from hand counts with the outputs from scanning, also confirms the appropriateness of the code.

In addition to these factors, the commercial nature of the development of these systems, where the vendors maintain a commercial interest in the IP of the system, would have resulted in significantly higher costs to the Territory if a requirement for public display of the source code was built into the development contract.

2. The Commission does follow this best practice methodology where it believes it appropriate. As described above the Commission believes that an open source methodology is essential for the electronic voting and counting system. For the systems that do not directly accept or count votes, the Commission considers that the benefits and purpose of open source code are not as valid.
3. The source code for the ACT's electronic voting and counting system has been made available prior to each ACT election since the system's introduction at the 2001 ACT Legislative Assembly Election. The Commission intends to continue with this practice into the future.

The Commission considers that due to the nature of the electoral roll product and its impact upon the ultimate result of the election, there is little benefit from scrutineer review of this system.

The commercial nature of the ballot paper scanning system makes it more difficult to release the code for public scrutiny. The vendor's intellectual property would be significantly at risk to its competitors if the code were to be made public. The additional cost to the Territory in requiring the public release of the code would be significant; potentially prohibitive. The Commission considers that an appropriate level of transparency can be achieved by employing an independent expert to audit the code to ensure no malicious or unintentional issues are occurring within the code. The Commission undertakes this practice before each ACT election.

4. The cost to the Territory would be considerably higher if the Commission was to negotiate the public release of the source code of these commercially developed electoral roll and ballot paper scanning systems. An appropriate level of transparency is achieved through independent expert auditing of the code prior to each election to ensure code integrity. Accordingly, the Commission has weighed the benefits of requiring public release of such commercially sensitive vendor code against the risks and costs, and concluded that not requiring release of this code strikes an appropriate balance between cost efficiency and transparency of our electoral systems.
5. The ACT Electoral Commission maintains a watchful eye on advancements into online voting both overseas and in other Australian jurisdictions. While noting that some other Australian jurisdictions have moved to adopt internet voting, the Commission remains cautious regarding the introduction of internet voting for ACT elections. As recent developments have demonstrated, online transactional databases are currently at high risk of technical failure and interference by unauthorised persons or organisations. The Commission notes that any failure of an internet voting system could result in election results being overturned in the courts and diminished public confidence in our electoral

systems. The Commission considers that no direct action should be taken to introduce online transactional database based voting in the ACT until it is satisfied that all risks have been adequately addressed. The Commission will continue to work with other jurisdictions in safeguarding our electoral systems and processes, and examining possible options for a future national internet voting platform, under the banner of the Electoral Council of Australia and New Zealand. It should be noted that the current instances of iVote being used by NSW and WA are not administered using an open source methodology.

ACT public service—disability employment (Question No 1748)

Ms Le Couteur asked the Minister for Disability, upon notice, on 21 September 2018:

- (1) How will the ACT Public Service Inclusion Employment Program incorporate the recommendations from the Standing Committee on Health, Ageing and Community Services Inquiry into the Employment of People with Disabilities.
- (2) In what ways is the ACT Government supporting the improvement of employment outcomes for people with a disability beyond ACT Government jobs.
- (3) How will the ACT Government address their obligation as a “provider of last resort” for people with disability in the longer term.

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

- (1) As an employer, the ACT Government strives to achieve a diverse and skilled public service comprised of individuals who are valued for their differences, experiences, knowledge, backgrounds and the contribution they can make. As indicated in the Government Response to the recommendations made by the Standing Committee on Health, Ageing and Community Service’s Inquiry into the Employment of People with Disabilities, the ACT Government will continue to assess new initiatives, programs and ideas for the employment of People with Disability in the ACT Public Service.

Since the Government’s Response to the Committee’s Report was tabled in the Assembly in November 2017, the following actions have been undertaken:

- Six participants have been selected from over 250 applications for the 2018 Inclusion Vocational Employment Program. The 12 month program will require participants to complete a formal learning and development program which takes into account the capacity of individuals and the needs of the work area. All participants and placement areas are provided with pastoral care, guidance and support for the Inclusion Employment Team in the Workforce Capability and Governance Division in the Chief Minister, Treasury and Economic Development Directorate. The merit pool of applicants for the program will be shared with other jurisdictions including the Australian Public Service and the Canberra Business Chamber for private employment opportunities.
- Funding has been appropriated in 2019 for the development of career retention and leadership programs for People with Disability. The Lead Toolkit from New Zealand will be assessed in the development of these programs.

The ACTPS Inclusion Leadership Program for People with Disability will provide up to 20 current employees with disability at the Senior Officer level and Executives with the opportunity to develop in their leadership roles and will assist these employees to reach their full potential in the ACTPS. The Disability Career and Retention program will provide up to 40 employees with Disability (20 employees both at the Administrative Officer and Senior Officer level) with individual development plans, coaching and mentoring. The proposed program will include a 3-5 day workshop and a 1-2 day recall workshop and include whole of cohort, peer support and mainstream activities. Funding has also been appropriated in 2019 for mentor training for up to 50 employees to develop individuals (with or without disability) to mentor and support People with Disability.

- The Workforce Capability and Governance Division in the Chief Minister, Treasury and Economic Development Directorate and the Office for Disability in the Community Services Directorate placed two interns in January-February 2018 through the Australian Network on Disability's Stepping into Summer Internship Program. Both areas are interested in participating in the 2018-19 program.
 - The second Disability Employment Services Provider Expo was hosted in August 2018. This is a forum for members of the community and new school leavers to meet local providers who support the employment of People with Disability and Aboriginal and Torres Strait Islander peoples. The forum received positive feedback.
 - To better support ACTPS employees with disability, meetings with staff have been undertaken to establish the ACTPS Disability and Allies Network. The network aims to facilitate learning and awareness of issues, co-ordinate events and enable consultation on policy development.
- (2) The ACT Office for Disability is working with the ACT Inclusion Council and the Canberra Business Chamber to deliver an Inclusion in Employment Project, created to expand employment opportunities for people with disability in Canberra's private sector. The project began in November 2017 and employs a project manager based at the Canberra Business Chamber. The project is delivering tangible improvements with eight people with disability attaining employment as a direct result of the networking and communications work of the project.

One of the key project strategies is to host peer-to-peer networking opportunities, which support business to business engagement by bringing together business leaders with experience in employing people with disability and businesses seeking new employees who may not have considered employing a person with disability. So far there have been four peer-to-peer breakfast sessions hosted at the Canberra Business Chamber.

- (3) As part of the transition to the National Disability Insurance Scheme (NDIS), the ACT Government transitioned the provision of specialist disability services to the community sector and ACT Government disability funding was transferred to the National Disability Insurance Agency (NDIA) in 2016. The ACT Government is committed to continuing to support people with disability living in the ACT and in the 2018-19 budget allocated \$1.120 million for an emergency funding pool. This emergency funding pool ensures people who have more complex needs are receiving the supports and services they need, including services from the mainstream service system.

This funding will be delivered through the Integrated Service Response program and will be allocated on a case by case basis to people with disability who have high and complex disability support needs, and for people who may not be eligible for the NDIS due to residency or eligibility requirements.

Maintaining Critical Supports, which historically was referred to as 'Provider of Last Resort', is the responsibility of the NDIA. The NDIA advise they have a project underway to make sure their approach to Maintaining Critical Supports is participant-centric, supports choice-based principles and operates within the NDIS related legislation.

**Budget—lease variation charge
(Question No 1749)**

Ms Le Couteur asked the Treasurer, upon notice, on 21 September 2018 (*redirected to the Minister for Planning and Land Management*):

What was the cost of administering the Lease Variation Charge (LVC) for each of the last three financial years (a) as a dollar cost and (b) as a percentage of revenue received from the LVC.

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

Implementation of LVC under the *Planning and Development Act 2007* is core business (amongst other things) for the planning and land authority. The responsibility rests with the Development Application (DA) Leasing and ACT Civil and Administrative Tribunal (ACAT) Coordination Section. This section has 8.78 full time employees (FTE) (distributed between 10 people). Out of this, generally between 3 and 5 staff are charged with the specific responsibility of administering LVC.

The cost of administering LVC for each of the last three financial years cannot be determined precisely, because not all proponents pay LVC in the same financial year that the determination is made. The reason for this is that the actual payment of LVC is a decision, made by a private individual or entity, which is outside of the control of Government.

It should also be noted that the cost of administering LVC as a percentage of revenue received would be based on the salaries of the whole DA Leasing and ACAT Coordination Section, i.e. 8.78 FTE, and will be lower if the other tasks of the Section are not included.

**Disability services—ACT government role
(Question No 1750)**

Ms Le Couteur asked the Minister for Disability, upon notice, on 21 September 2018:

- (1) Why is the ACT Government prioritising regulatory oversight of disability services over other specialist service delivery areas when the National Disability Insurance Agency is investing in the implementation of quality and safeguarding framework nationally.

- (2) How does this meet the ACT Government's commitment to reducing red tape.

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

- (1) The ACT Government is not prioritising regulatory oversight of disability services over other aspects of the human services sector. The Human Services Registrar provides oversight of service delivery to vulnerable people through registration and ongoing compliance review in relation to housing providers (under the National Regulatory System for Community Housing), specialist disability service providers, and community care and protection providers. Priority is given to areas of greatest risk of harm, regardless of sector.

The National Disability Insurance Scheme (NDIS), Quality Assurance and Safeguards Working Arrangements between the ACT Government and the Commonwealth detail the responsibilities of the ACT and the NDIS for disability services until transition to full scheme on 1 July 2019. At full scheme regulatory oversight of NDIS services will be transitioned to the NDIS Quality and Safeguards Commission (the Commission). The ACT will have continuing obligations for nationally consistent work under the NDIS Quality and Safeguarding Framework.

The appointment of a Senior Practitioner in July 2018, and the subsequent enactment of the *Senior Practitioner Act 2018* will assist in meeting these national obligations.

Work is also currently underway to ensure the ACT's Working with Vulnerable People Scheme aligns with the NDIS Quality and Safeguarding Framework, as well as with the ACT Government's response to the Royal Commission into Institutional Responses to Child Sexual Abuse.

The broad remit of the Senior Practitioner's role also aims to ensure that ACT leads on developing appropriate safeguards and protections for individuals in affected human services sectors.

Following the transition to NDIS full scheme, the ACT Government will retain responsibility through a variety of regulatory and oversight mechanisms, including the Human Services Registrar, the Human Rights Commission and the Official Visitor program, for other specialist non-NDIS human services delivery areas, including disability service providers.

- (2) The ACT Government's overall approach is to ensure that regulation is proportionate, flexible, targeted, appropriate, accountable and focussed on the needs, rights and relevant protections for vulnerable people. Commitments to reducing red tape are not designed to adversely reduce the level of relevant regulatory protections. Based on this approach, the Human Services Registrar seeks to minimise the regulatory burden on providers based on an assessment of risk. Information is gathered on the basis of collect once, use often, which particularly assists providers operating in multiple sectors.

Gaming—problem gambling assistance fund (Question No 1752)

Ms Le Couteur asked the Minister for Business and Regulatory Services, upon notice, on 21 September 2018:

- (1) How many applications were received for funding through the Problem Gambling Assistance Fund (PGAF) in 2017-18.
- (2) How many of these applications were funded.
- (3) Can the Minister provide a list of activities that were funded under the PGAF in 2017-18 and which organisations the funding was provided to.
- (4) How much funding was provided for the following activities (a) gambling research, (b) counselling, (c) other mental health or social supports, (d) gambling harm promotion and campaigns and (e) other activities.

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

The Problem Gambling Assistance Fund is administered by the ACT Gambling and Racing Commission (the Commission). I have sought advice from the Commission in respect of the questions asked. The responses below are as provided by the Commission:

- (1) Two.
- (2) One application was successful in 2017-18. Note that this does not include existing and on-going projects funded by Problem Gambling Assistance Fund (PGAF).
- (3)
 - Professional gambling counselling and support for people experiencing gambling harm, including families and friends - **ACT Gambling Counselling and Support Service (delivered by Relationships Australia), Gambling Help Online**
 - Research Projects in the ACT – **ANU Centre for Gambling Research, Youth Coalition of the ACT**
 - Establishment and maintenance of a venue exclusion scheme in the ACT - **Hammond Street Developments**
 - Re-development of the GRC website to provide information for ACT residents about gambling harm, self-help tools, and how to seek for professional help – **Inklab (Developer)**
 - National gambling research projects - **Gambling Research Australia**
 - Education and training events Gambling Harm and mental health - **Capital Health Network**
 - Gambling Harm Awareness Week 2017 events to raise community awareness about gambling harm in the ACT. Funding provided for travel and accommodation (where necessary) for speakers from the **Hope Project and the Victorian Responsible Gambling Foundation**, as well as venue hire (**CIT Reid Student Association**), and advertising.
 - Gambling Contact Officer (GCO) initiative, including GCO promotional materials and individual identifiers distributed to every gaming venue in the ACT - **ClubsACT** (as project coordinator).
- (4)
 - (a) **Gambling research:** \$59,985
 - (b) & (c) **Counselling & Other mental health or social support:** \$831,849
 - (d) **Gambling harm promotion and campaigns:** \$135,331

(e) **Other activities:** \$12,125

Seniors—rates impact (Question No 1753)

Ms Le Couteur asked the Treasurer, upon notice, on 21 September 2018:

How many properties fall into each of the following categories in relation to residential rates for the 2018/19 financial year, for properties where the Pensioner Rates Rebate applies (a) rates less than \$1 000 after the rebate, (b) rates of \$1 000 or more, but less than \$2 000, after the rebate, (c) rates of \$2 000 or more, but less than \$3 000, after the rebate, (d) rates of \$3 000 or more, but less than \$4 000, after the rebate, (e) rates of \$4 000 or more, but less than \$5 000, after the rebate, (f) rates of \$5 000 or more, but less than \$6 000, after the rebate, (g) rates of \$6 000 or more, but less than \$7 000, after the rebate and (h) rates of \$7 000 or more.

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

	No of Properties	Rebate Amount
(a) rates less than \$1 000 after the rebate,	705	\$594,857
(b) rates of \$1 000 or more, but less than \$2 000, after the rebate,	8,712	\$13,405,917
(c) rates of \$2 000 or more, but less than \$3 000, after the rebate,	3,164	\$7,528,120
(d) rates of \$3 000 or more, but less than \$4 000, after the rebate,	729	\$2,441,887
(e) rates of \$4 000 or more, but less than \$5 000, after the rebate,	186	\$821,835
(f) rates of \$5 000 or more, but less than \$6 000, after the rebate,	71	\$385,055
(g) rates of \$6 000 or more, but less than \$7 000, after the rebate and	18	\$115,428
(h) rates of \$7 000 or more.	101	\$2,799,845
	13,686	\$28,092,945

Suburbs with average rates above \$3,000:

\$3,000 to \$4,000	\$4,000 to \$5,000	\$5,000 +
Ainslie Aranda Campbell Curtin Hackett Hall Hughes O'Connor Reid	Deakin Forrest O'Malley Yarralumla	Red Hill

Suburbs with 5 or less residential properties have been removed to protect confidential taxpayer information.

**Budget—domestic and family violence
(Question No 1754)**

Ms Le Couteur asked the Minister for the Prevention of Domestic and Family Violence, upon notice, on 21 September 2018:

- (1) Can the Minister account for why in the Budget Paper 3, p 414; footnote 1 the underspend in interpreter services for people accessing ACT Law Courts, Tribunals and specialist family violence services, including community legal centres continues to be underspent when refugees are telling us a significant proportion of their clients are from a culturally and linguistically diverse background and require translating and interpreting assistance.
- (2) Has this money been re-profiled to the Family Safety Hub.
- (3) Which services will be able to access it.

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

- (1) *Safer Families-Enhancing access to justice for non-English speakers* supports people of non-English speaking backgrounds experiencing domestic and family violence by providing increased access to translating and interpreting services.

The initiative is administered by the Justice and Community Safety Directorate (JACS).

Expenditure under this initiative steadily increased during 2017-18 as eligible organisations became more familiar with the program and how to access the funding.

An officer from JACS meets with eligible organisations regularly to provide promotional materials and to identify barriers to accessing the program. The Coordinator-General for Family Safety continues to promote the initiative also.

- (2) The *Safer Families – Enhancing access to justice for non-English speakers (Safer Families TIS)* Initiative resulted in an underspend of \$230,000 in 2017-18.

The 2018-19 ACT Government Budget reprofiled the 2017-18 underspend to the same initiative to be spread over two years, ie \$115,000 was reprofiled to *Safer Families – TIS* for 2018-19 and \$115,000 was reprofiled to *Safer Families – TIS* for 2019-20.

Subsequent to the 2018-19 ACT Government Budget, the funds reprofiled for 2018-19 were transferred to the Community Services Directorate and allocated to the Domestic Violence Crisis Service and Canberra Rap Crisis Centre. This decision was based on the continued high demand for these crisis services.

- (3) The ACT Law Courts and Tribunal and specialist ACT family violence services are eligible for the *Safer Families – TIS* initiative. The following 14 organisation have been identified eligible:
 - (1) Domestic Violence Crisis Service
 - (2) Doris Women's Refuge

- (3) Canberra Community Law
- (4) Karinya House for Mothers and Babies
- (5) Legal Aid ACT
- (6) Toora Women Inc
- (7) ACT Courts and Tribunal
- (8) Northside Community Service
- (9) Companion House
- (10) Tenants' Union
- (11) Canberra Rape Crisis Centre
- (12) YWCA Canberra
- (13) Women's Legal Centre
- (14) DPP

In 2015-16 Beryl Women Inc. received a grant from *Hands Across Canberra* for \$10,000 to cover costs associated with interpreting for women from a culturally and linguistically diverse background. They will become eligible for the *Safer Families TIS* program once their grant has been fully expended.

Adding Beryl, or any other organisation is a straight forward process that can be completed within 24 hours.

Government—directorate staffing (Question No 1786)

Miss C Burch asked the Speaker, upon notice, on 21 September 2018:

- (1) For each directorate and agency for which the Minister is responsible, what is the total number of (a) allegations, (b) investigations and (c) adverse findings related to staff misconduct or poor behaviour during each financial year from 2007-08 to date, broken down by category of complaint, including but not limited to (i) bullying, (ii) harassment (iii) sexual harassment and (iv) any other relevant category of complaint.
- (2) In relation to each category of complaint identified in part (1) (a) allegations, (b) investigations and (c) adverse findings what were the ACTPS classifications for each employee making the allegations, and each employee against whom allegations were made during each financial year from 2007-08 to date.
- (3) In relation to adverse findings in each category of complaint identified in part (1), in how many instances were employees during each financial year from 2007-08 to date (a) dismissed, (b) temporarily demoted, (c) suspended, (d) financially penalised, (e) transferred to another position and (f) counselled.

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

The tables below contain information on those matters that are recorded by the Office of the Legislative Assembly (the Office). The Office notes that there is the possibility that

other allegations of misconduct or poor behaviour captured by the member's question may have been made to line managers/ supervisors or members and staff that were not formally recorded.

Office of the Legislative Assembly

2017-18	1 allegation of bullying was made by a Senior Officer Grade C against a Senior Officer Grade A – resolved without investigation.
2016-17	1 allegation of misuse of resources was made by an Administrative Service Officer Class 4 against a Senior Officer Grade C – resolved without investigation.
2015-16	1 allegation of bullying was made by an Administrative Service Officer Class 4 against a Senior Officer Grade C – resolved without investigation.
2011-12	1 allegation of falsification of records and dishonesty was made by a Senior Officer Grade C and a Senior Officer Grade A against an Administrative Service Officer Class 4 – investigated and adverse finding made (officer counselled).
2010-11	1 allegation of misuse of resources was made by a Senior Officer Grade A against an Administrative Service Officer Class 4 – investigated and adverse finding made (officer counselled).
	1 allegation of fraudulent conduct was made by a Senior Officer Grade C against an Administrative Service Officer Class 4 – resolved without investigation.
2009-10	1 allegation of falsification of records was made by a Senior Officer Grade A against an Administrative Service Officer Class 4 – resolved without investigation.

Staff employed by non-Executive Members

2016-17	A number of allegations of fraudulent conduct were made by an individual employed by a non-Executive member against other individuals employed by that member. Disclosing the classifications of the staff involved could lead to the identification of those individuals. The allegations were investigated. No adverse action resulted.
2015-16	1 allegation of bullying was made by an Adviser Level 1 against an MLA – resolved without investigation.
2010-11	1 allegation of a breach of the Acceptable Use of ICT Policy was made by a Senior Officer Grade C against an Adviser Level 2 - resolved without investigation.

Government—employee assistance scheme (Question No 1794-1832)

Miss C Burch asked the Chief Minister, the Minister for Social Inclusion and Equality, the Minister for Planning and Land Management, the Minister for Justice, Consumer Affairs and Road Safety, the Minister for Education and Early Childhood Development, the Minister for the Environment and Heritage, the Minister for Housing and Suburban Development, the Minister for Mental Health, the Minister for Climate Change and Sustainability, the Minister for the Prevention of Domestic and

Family Violence, the Minister for Health and Wellbeing, the Minister for Tourism and Special Events, the Minister for Trade, Industry and Investment, the Minister for Higher Education, the Minister for Medical and Health Research, the Minister for Transport, the Minister for Vocational Education and Skills, the Minister assisting the Chief Minister on Advanced Technology and Space Industries, the Minister for the Arts and Cultural Events, the Minister for Building Quality Improvement, the Minister for Business and Regulatory Services, the Minister for Seniors and Veterans, the Minister for Corrections and Justice Health, the Minister for Disability, the Minister for Children, Youth and Families, the Minister for Employment and Workplace Safety, the Minister for Government Services and Procurement, the Minister for Urban Renewal, the Minister for City Services, the Minister for Community Services and Facilities, the Minister for Roads, the Speaker, the Treasurer, the Minister for Aboriginal and Torres Strait Islander Affairs, the Attorney-General, the Minister for Police and Emergency Services, the Minister for Multicultural Affairs, the Minister for Sport and Recreation, the Minister for Women, upon notice, on 21 September 2018 (*redirected to the Chief Minister*):

- (1) For each directorate and agency for which the Minister is responsible, how many employees accessed an Employee Assistance Scheme during the financial years (a) 2007-08, (b) 2008-2009, (c) 2009-2010, (d) 2010-2011, (e) 2011-2012, (f) 2012-2013, (g) 2013-2014, (h) 2014-2015, (i) 2015-2016, (j) 2016-2017, (k) 2017-2018, (l) 2018-19 to date.
- (2) What is the breakdown of the total number of employees who accessed an Employee Assistance Scheme by ACTPS classification or equivalent in relation to each financial year in part (1).

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

The data provided in this response refers to the use by ACT Public Service employees and their families of the Employee Assistance Schemes. Small agencies and directorates have been identified as an Agency or Directorate.

In addition, the term "ACT Legislative Assembly (Executive)" refers to the Ministers' staff within the ACT Executive and "ACT Legislative Assembly (Non-Executive)" refers to all other ACT staff working within the ACT Legislative Assembly.

When reviewing the number of staff accessing EAP services it is important to take into account the fact that employment numbers differ significantly across directorates.

- (1) (a) 1 July 2007 – 30 June 2008

Minimal statistical data history is available from service providers, directorates and agencies on ACT Government employees accessing confidential Employee Assistance Program (EAP) services during this period.

Directorate / Agency	Total Utilisation	Number of Territory Employees
CIT	26	26
Agency	8	8
Disability, Housing and Community Services	132	132
Education and Training	402	402
ACT Legislative Assembly (Executive)	3	3

(b) 1 July 2008 – 30 June 2009

Minimal statistical data history is available from service providers, directorates and agencies on ACT Government employees accessing confidential EAP services during this period.

Directorate / Agency	Total Utilisation	Number of Territory Employees
CIT	36	36
Agency	7	7
Disability, Housing and Community Services	127	127
Education and Training	370	370
ACT Legislative Assembly (Executive)	4	4

(c) 1 July 2009 – 30 June 2010

Minimal statistical data history is available from service providers, directorates and agencies on ACT Government employees accessing confidential EAP services during this period.

Directorate / Agency	Total Utilisation	Number of Territory Employees
CIT	48	48
Agency	13	13
Education and Training	380	380
Disability, Housing and Community Services	138	138
ACT Legislative Assembly (Executive)	7	7

(d) 1 July 2010 – 30 June 2011

Minimal statistical data history is available from service providers, directorates and agencies on ACT Government employees accessing confidential EAP services during this period.

Directorate / Agency	Total Utilisation	Number of Territory Employees
ACT Health	313	313
CIT	4	4
Agency	15	15
Disability, Housing and Community Services	132	132
Education and Training	300	300
ACT Legislative Assembly (Executive)	8	8

(e) 1 July 2011 – 30 June 2012

Directorate / Agency	Total Utilisation	Number of Territory Employees
ACT Health	281	281
Community Services Directorate	108	108
Agency	7	7
Education and Training	330	330

Directorate / Agency	Total Utilisation	Number of Territory Employees
EPSDD including LDA	39	39
Territory and Municipal Services (TAMS) including ACTION	72	72
ACT Legislative Assembly (Executive)	3	3

(f) 1 July 2012 – 30 June 2013

Directorate / Agency	Total Utilisation	Number of Territory Employees
ACT Health	185	166
Economic Development Directorate	9	8
Canberra Institute of Technology (CIT)	21	21
Agency	4	4
Chief Minister	21	21
Education and Training	341	341
Justice and Community Safety (JACS)	41	39
Community Services Directorate	115	111
EPSDD including Land Development Agency	33	32
TAMS including ACTION	85	85
Treasury Directorate	31	28
ACT Legislative Assembly (Executive)	9	9

(g) 1 July 2013 – 30 June 2014

Directorate / Agency	Total Utilisation	Number of Territory Employees
ACT Health	564	539
Community Services Directorate	176	160
Agency	13	13
CIT	108	106
Chief Minister and Treasury Directorate	30	30
Commerce and Works Directorate including Shared Services	94	91
Education and Training	364	364
Economic Development	14	14
EPSDD	36	32
JACS	130	114
TAMS including ACTION	107	107
ACT Legislative Assembly (Executive)	7	7

(h) 1 July 2014 – 30 June 2015

Directorate / Agency	Total Utilisation	Number of Territory Employees
ACT Health	313	313
Agency	3	3

Directorate / Agency	Total Utilisation	Number of Territory Employees
CMTEDD including Shared Services	128	128
Agency	3	3
Community Services Directorate	182	182
CIT	55	55
Education Directorate	364	364
EPSDD	28	28
JACS including ICRC	110	110
TAMS including ACTION	81	81
ACT Legislative Assembly (Executive)	7	7

(i) 1 July 2015 – 30 June 2016

Directorate / Agency	Total Utilisation	Number of Territory Employees
ACT Health	443	435
Agency	2	2
CIT	54	54
CMTEDD including Shared Services	259	259
Agency	4	4
Community Services Directorate	273	270
Directorate	10	9
Education and Training Directorate	359	359
EPSDD including SLA	23	23
JACS including ICRC	105	105
TAMS including ACTION and Capital Metro	78	78

(j) 1 July 2016 – 30 June 2017

Directorate / Agency	Total Utilisation	Number of Territory Employees
Agency	2	2
Agency	3	3
CIT	92	92
CMTEDD including Shared Services	178	170
Community Services Directorate	242	235
EPSDD including SLA and CRA	71	68
Education Directorate	570	538
JACS	92	92
ACT Health Directorate	386	351
Transport Canberra and City Services including ACTION and Capital Metro	92	83
ACT Legislative Assembly (Executive)	2	2

(k) 1 July 2017 – 30 June 2018

Directorate / Agency	Total Utilisation	Number of Territory Employees
ACT Health	373	354
CMTEDD including Shared Services and Electoral Commission	260	256
Agency	1	1
Agency	6	6
CIT	83	70
Community Services Directorate	254	245
EPSDD including SLA and CRA	49	47
Education Directorate	432	385
JACS	88	83
Agency	2	2
TCCS including ACTION	75	69
ACT Legislative Assembly (Executive)	6	6
ACT Legislative Assembly (Non- Executive)	2	2

(l) 1 July 2018 – 5 October 2018 (to date)

Directorate / Agency	Total Utilisation	Number of Territory Employees
ACT Health	125	125
CMTEDD including Shared Services	5	5
Agency	1	1
CIT	2	2
Education Directorate	67	67
JACS	8	8
TCCS including ACTION	22	22

- (2) The data requested for Question 2 is not available and where available could lead to the identification of individual ACT Public Service employees.

The Employee Assistance Program is available to all members of the ACT Public Service and family members. Specific details relating to personal particulars such as classification level is confidential and private and not provided to directorates or agencies. In addition, EAP services providers may not request this level of detail from individuals utilizing the service.

Questions without notice taken on notice

Tuggeranong—streetlighting

Mr Steel (*in reply to a supplementary question by Mr Parton on Thursday, 16 August 2018*):

The streetlight contractor, Electrix Pty Ltd are currently undertaking the backlog work. A total of 2,283 lights were declared prior to the commencement of the

contract. Electrix Pty Ltd has completed over 80% of the jobs as of 17 August 2018. From 1 November 2018, the contract will require Electrix Pty Ltd to meet all their nominated response times for streetlight defects.

ACT Health—workplace culture

Ms Fitzharris (*in reply to a supplementary question by Mrs Dunne on Tuesday, 18 September 2018*):

I am advised that indemnification of individuals is generally an exercise of the executive power of the Territory by the Government.

The source of that power would be the *Australian Capital Territory (Self-Government) Act 1988* (Cth).

ACT Health—workplace culture

Ms Fitzharris (*in reply to a question by Mrs Kikkert on Tuesday, 18 September 2018*):

Yes.

Government—clubs policy

Mr Ramsay (*in reply to a question by Mr Parton on Thursday, 20 September 2018*):

The *Gambling and Racing Control (Code of Practice) Regulation 2002* (the Code) provides that a licensee must not knowingly pay winnings to a person who is excluded from gambling.

In order to assess compliance with this requirement, the Gambling and Racing Commission, through Access Canberra, completed a proactive compliance inspection program focused on identifying payments to excluded persons. The program was an education program with the aim to work with licensees to resolve any identified issues as a result of payments to excluded persons.

A total of 3,733 payouts of over \$1,500 were reviewed against the excluded persons database. There were two payments to excluded persons identified. Access Canberra has engaged with the two licensees identified as making the payments and is working with them to ensure that adequate procedures are in place to prevent reoccurrence.

All licensees were advised of the outcome of the program.

Economy—skilled migration

Mr Barr (*in reply to a question and a supplementary question by Mrs Kikkert on Thursday, 20 September 2018*):

When did you first learn that the ACT was attracting more international students than the territory's 119 visa allotment could possibly handle?

This response refers to the ACT Skilled Nominated 190 program.

I was first briefed on the matter by my Directorate on 7 May 2018.

My Directorate further advises that it does not receive advice of intending international student applications or the enrolment activity in education institutions of students that may be attempting to qualify for permanent residency. The only vision the Directorate has of 'real excess demand' is when applications are lodged and recorded in the Program's data management systems and then assessed against how numbers are tracking by time of year and in comparison to previous years. I have been advised that the number of applications received did not approach the ACT allocation until April 2018.

To be clear, the management of demand for 190 visa nominations has always been applied, reflecting the relatively small number of places allocated by the Department of Home Affairs and the potentially large number of people that seek skilled migration outcomes and permanent residency. Potential applicants also act on the advice of migration agents who they pay to maximise their chances of a successful migration outcome.

The vast majority of international students are not using their study to achieve permanent residency. Most international students who choose to study in the ACT are using the Student visa (subclass 500). Some students may also be eligible to apply for a Temporary Graduate visa (subclass 485) which allows international students who have recently graduated from an Australian educational institution to live, study and work in Australia for an additional 18 months (graduate work) to four years (post study work).

If training providers are promoting study as a pathway to permanent residency to attract enrolments, that is regrettable but out of the Government's control. We believe experienced migration agents and education institutions would be aware of the cap on 190 visa nominations in the ACT.

Why did your government continue to promote its skilled nominated visa scheme to international students even after you knew that it was oversubscribed?

The ACT Government does not actively promote the ACT Skilled Nominated 190 program to international students through any media or marketing campaigns. General information on the program including eligibility and how to apply is available from the Canberra Your Future website.

<http://www.canberrayourfuture.com.au/portal/learning/article/study-and-work/>

The website does contain positive information on Canberra including links to general information and advice. I understand that this type of information, for people outside Canberra seeking to understand opportunities available, has been provided in this form for many years.

Environment—plastic straws

Mr Rattenbury (*in reply to a supplementary question by Ms Lee on Thursday, 20 September 2018*):

The Community Co-Chair of the Disability Reference Group provided input to Actsmart to assist with the campaign guidelines via the Office for Disability.

Actsmart also talked with the Office for Disability who extended their appreciation that the Straws Suck campaign is not a ban rather it is an opportunity to consider the necessity of straws, which are, indeed, necessary for some. The campaign is designed to encourage vendors to rethink giving a plastic straw to every patron regardless of whether they want one or not, and provides patrons the opportunity to rethink their need for a plastic straw.

Housing—affordability

Ms Berry (*in reply to a question and a supplementary question by Ms Le Couteur on Thursday, 20 September 2018*):

Can the minister advise on the progress of the development, sale and construction of these dwellings?

All the sites with affordable housing targets listed in the City Renewal Authority and Suburban Land Agency (Housing Target) Determination 2018 (No 1) have been sold to developers by the Suburban Land Agency, except for Lawson Stage 2 which is being sold as an englobo release and the Strathnairn sites which are being developed as part of the Ginninderry Joint Venture.

Lawson Stage 2 was released to the market in June 2018 via an expression of interest process, and sale is anticipated to be concluded later this financial year. The first stage of Strathnairn is currently under construction. As at 27 September 2018, 26 of the affordable dwellings set out in the City Renewal Authority and Suburban Land Agency (Housing Target) Determination 2018 (No 1) have been sold to lower income home purchasers.

As at 21 September 2018, there are currently four Development Applications lodged with the Planning Authority for sites released in 2017-18 with affordable housing targets. 52 affordable dwellings are required to be delivered from these developments in Greenway, Taylor and Wright.

To date, none of these developments have been made available to eligible home purchasers. It is expected that, given the anticipated timing of the development applications, developers or their agents will be able to start contacting registrants from the affordable home purchase database towards the end of 2018.

The public housing target sites in Gungahlin Town Centre, and Section 10 Greenway are being delivered by the Public Housing Renewal Taskforce. In the Gungahlin Town Centre (Block 1, Section 248, and Block 4, Section 249, Gungahlin) the construction of 64 Public Housing dwellings is underway with completion expected in early 2019. On Block 5 Section 28, Greenway, construction of 25 Public Housing dwellings by the Public Housing Renewal Taskforce is underway with completion expected in early 2019.

The public housing sites in Lawson and Section 10 Greenway will be delivered by Housing ACT and the transfer of these sites to Housing ACT is currently under negotiation. The site in Lawson will be provided as a hand-back site from the englobo developer, following conclusion of the sale as mentioned above. Development has not commenced on these sites.

Lawson Stage 2 is also required to make provision for 20 community housing dwellings. The site will be provided as a hand-back site from the englobo developer, following conclusion of the sale as mentioned above. Development has not commenced on this site.

The first stage of Strathnairn currently under construction will also include the 14 Community Housing dwellings set out in the City Renewal Authority and Suburban Land Agency (Housing Target) Determination 2018 (No 1). The Joint Venture has been in discussions with community housing providers on options for the delivery of community housing models in Strathnairn. This includes the provision of a site for micro lot housing, a shared equity model between Community Housing Providers, financial institutions and the Joint Venture, and the expansion of community housing as a result of infrastructure renewal.

How are the numbers of affordable dwellings, public housing dwellings and community housing dwellings in the City Renewal Authority and Suburban Land Agency housing target determination No 2 issued this month determined?

The draft targets for affordable, public and community housing are developed by a cross-directorate reference group, comprising officials responsible for housing policy, land release, public and community housing, and the Government land delivery agencies. The Government then reviews and agrees to the targets each year as part of the Government's Indicative Land Release Program. The three Ministers responsible for the City Renewal Precinct, urban renewal and the development of new suburbs then make the final determination in the form of a Notifiable Instrument.

The views of the Housing Commissioner are sought as part of the determination of these targets as required by the City Renewal Authority and Suburban Land Agency Act 2017.

As advised in the Government Response to the Select Committee on Estimates 2018-2019, the targets for affordable, community and public housing are informed by the location, suitability and development potential of land made available through the Government's Indicative Land Release Program.

This includes consideration of social and affordable housing need, amenity, proximity to schools, transport, employment centres, and public open space, as well as existing concentrations of affordable and social housing in each suburb. The targets also take into consideration the development capacity of the Community Housing Sector and Housing ACT, as well as the impact on land revenues in the context of the ACT Budget.