



# Debates

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Legislative Assembly for the ACT

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**Thursday, 1 November 2018**

**The Assembly met at 10 am.**

*(Quorum formed.)*

**MADAM SPEAKER** (Ms J Burch) took the chair, 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.

## **Petition—ministerial response**

The following response to a petition has been lodged:

### **Sunday ACTION timetable—petition 8-18**

By **Ms Fitzharris**, Minister for Transport, dated 30 October 2018, in response to a petition lodged by Ms Le Couteur on 31 July 2018 concerning Sunday and public holiday bus timetables.

*The response read as follows:*

Thank you for your letter of 31 July 2018 regarding petition No 8-18 from Ms Caroline Le Couteur MLA about the Sunday and Public Holiday Bus Timetable.

Transport Canberra has designed a new integrated public transport network, with a focus on providing Canberrans with the most efficient, convenient and reliable public transport system possible.

Through two stages of consultation in 2017 and 2018 the Canberra community told us they want faster trip times, more frequent and reliable services, more direct routes, and increased services on weekends and evenings. More than 13,000 pieces of feedback were received during the second stage of consultation and Transport Canberra carefully considered all the feedback and made a number of key revisions before finalising the network.

The updated integrated public transport network, released earlier this month, seeks to address long standing barriers to using public transport, including the issues raised in the petition. The new network of buses and light rail will make it easier for Canberrans to get where they want to go, offering an alternative to driving, seven days a week. The seven day bus network will be more reliable and easier to use, with the same route numbers whether it is a Tuesday, a Sunday or a public holiday. There will be more services on weekends and public holidays and services will run later into the evening.

With the revised network now settled, Transport Canberra is finalising the timetable which will be published before the end of the year ahead of the start of the new network in early 2019. To further assist users of the network, Transport

Canberra is also working on an improved journey planner which will be released alongside the new timetable.

While the timetable is not yet finalised, I can assure you that the feedback received through the consultation process has been taken into consideration. I believe the network balances the needs of both new and current users.

Thank you for raising this matter.

## **Greyhound industry transition**

### **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) (10.03): The ACT has now passed its final milestone in the banning of greyhound racing in the territory. On 30 April 2018 the ACT became the first jurisdiction in Australia to prohibit the racing and trialling of greyhounds and on 30 September we completed the transition process for those seeking to leave the greyhound racing industry. The decision to end greyhound racing in the ACT was based on the significant welfare concerns associated with the greyhound racing industry, raised both through reporting on *Four Corners* and the subsequent inquiry in New South Wales.

To assist with the transition to end the greyhound racing industry in the ACT, an independent consultant, Ms Mary Durkin, was engaged to provide an analysis of options to support the transition. Ms Durkin consulted widely with the greyhound racing industry, as well as the animal welfare sector, in reaching her conclusions.

The Durkin report found that while the ACT greyhound racing industry is small it is intimately linked with the broader regional network of greyhound racing activities in New South Wales. It was impossible to divorce the ACT greyhound racing industry from the industry across the border. They were inextricably linked. Consequently, we could have no certainty that dogs being brought to the ACT from other jurisdictions to race had not come from breeders and trainers engaging in practices that are abhorrent from an animal welfare perspective. We know that trainers who have been found guilty of offences in New South Wales, including doping their dogs with substances such as cocaine, regularly raced in the ACT and took home significant prize money.

The cessation of greyhound racing in the territory was designed to ensure that greyhounds from other jurisdictions, whose animal welfare arrangements are outside the control of the ACT, could no longer be brought here to race. We did not want to be complicit in an industry with such demonstrated failures of animal welfare principles and allow them to continue to race in our jurisdiction. Owning, breeding and training greyhounds for racing outside the ACT can continue here but only on the basis that it is at no cost to the ACT community and complies with new and strict animal welfare standards.

We were aware from the outset that this decision would have an impact on the small number of people in the ACT who worked in the industry. This is why the

government established the greyhound industry transition task force to assist the people and the racing dogs involved in the industry to transition out of it. For over 12 months the government encouraged people affected by the end of greyhound racing in the territory to consider the assistance offered through transition support packages.

The task force also engaged Woden Community Service, whose staff are experienced in providing support to members of our community at difficult times in their lives, to facilitate counselling and transition support packages. Transition support was central to facilitating the process of ending greyhound racing and trialling in the ACT.

The ACT government announced the availability of over \$1 million in transition support when we announced the decision to prohibit racing and trialling well over a year ago. This support was available from August 2017 to September 2018. Woden Community Service, on behalf of the task force, ultimately received formal applications for transition support for five people, one business and 72 re-homed greyhounds.

As announced by the government in November 2017, the period for transition support ended on 30 September 2018. Five individuals negotiated transition support options with Woden Community Service. However, only two individuals decided to sign agreements to receive transition support. These packages totalled approximately \$21,000 that will help them transition to new fields of endeavour beyond the greyhound racing industry.

Approved transition support packages were designed to address individual needs and circumstances and included payment for training courses, financial assistance to meet the cost of specialist advice, guidance and planning about future career options, health and wellbeing support and short-term financial assistance to meet immediate need. In order to protect the confidentiality of applicants for transition support it is not appropriate for me to give any further details about these packages or these recipients. The task force also approved 23 applications for greyhound re-homing support to a value of \$24,400.

In addition, the government provided an additional one-off grant of \$10,000 each to ACT Greyhound Support Network and Canberra Region Greyhound Connections in recognition of the significant ongoing voluntary work they do to re-home former racing greyhounds in the ACT region. Woden Community Service is disbursing payments to all approved recipients.

The ACT government has fulfilled our commitment to stop supporting the greyhound racing industry. We remain concerned about animal welfare in jurisdictions where greyhound racing is still permitted but we accept that some industry participants have chosen to continue conducting business associated with greyhound racing interstate rather than take up the opportunity to transition into other fields of endeavour. While racing continues across the border we are proud to have aligned the ACT's policies and practices with community expectations and sought to maximise animal welfare outcomes.

The Minister for City Services has ongoing responsibility for the welfare protections for greyhounds, including the formal two-year monitoring of the effectiveness of the measures put in place to protect the welfare of the greyhounds owned, bred or trained by ACT residents for racing elsewhere. He will continue this government's work to ensure that greyhounds in the ACT are well looked after, whether they are enjoying life as a pet or being sent to race somewhere across the border.

I present the following paper:

Greyhound industry transition—Ministerial statement, 1 November 2018.

I move:

That the Assembly take note of the paper.

**MR PARTON** (Brindabella) (10.10): It is again extremely disappointing to come into this place and listen to the minister brag about his execution of the greyhound industry. The greyhound racing industry is full of good people. It is full of people who love their dogs. It is full of people who are doing and did the right thing, most of whom have voted Labor for most of their lives. I do note, as we have pointed out time and again in this place, this is the only branch of the Labor Party around the country which has adopted this position. The minister has subjected these people, who do the right thing, to a nightmare, some of whom have told me that they no longer feel comfortable walking their dogs after being subjected to abuse from strangers.

Like just about any other part of the community, there are people within the greyhound industry who chose to do the wrong thing. And like every other section of the community, those within the greyhound industry were appalled by the actions of the very few.

The ACT greyhound industry was particularly disappointed, given that no animal welfare breach has ever been reported or conviction reported, at the Canberra Greyhound Racing Club. There was no basis whatsoever for this ban. The Canberra racing industry, time and again, expressed their desire to work with the government and animal welfare groups to reform the industry and to ensure that those doing the right thing were not unfairly punished for the actions of the few who chose to disregard the rules.

Unfortunately this government and the minister showed absolutely no interest in working with the industry and those doing the right thing. Instead they chose to unfairly victimise the industry and the Canberra racing community, who I think should have been held as an example to those around the country: this is how you run a greyhound industry.

Ideology is what drives this Labor-Greens coalition and any pastime which they deem to be beneath them or undesirable is under threat. I cannot help but draw a comparison between the plight of the greyhound industry and our local clubs. Now that the minister has finished executing the greyhound industry he has set his sights on our

clubs. Just as the greyhound industry indicated their willingness to work with the government to ensure that those doing the right thing are not punished for the actions of those doing the wrong thing, the clubs industry in Canberra has also indicated time and again their willingness to work with government to ensure the best outcome.

This is a government that does not believe that anything they believe to be undesirable can exist. And this minister is now out to destroy our local clubs. The minister will tell us this is not true. But does anyone remember when this government told the community they were not going to ban greyhound racing? I do, and many others do.

This Labor-Green alliance operates by stealth. It does not care about those who disagree with it. It does not care about those who do the right thing. It does not care about those it considers beneath them or undesirable. This Labor-Greens alliance, on this front, is a disgrace and should be ashamed of the way that it has treated Canberrans who live their lives responsibly and do the right thing.

*Ms Cheyne interjecting—*

**MADAM SPEAKER:** No need for comments, Ms Cheyne.

Question resolved in the affirmative.

## **Streetlight contract**

### **Ministerial statement**

**MR STEEL** (Murrumbidgee—Minister for City Services, Minister for Community Services and Facilities, Minister for Multicultural Affairs and Minister for Roads) (10.13): I welcome the opportunity to report back to the Assembly on the new maintenance contract for our streetlight network. On 6 September 2018, I had the pleasure of launching the streetlight energy performance contract replacement program, which will see over 45,000 streetlights upgraded to light-emitting diode technology, otherwise known as LED. The ACT government currently owns and manages around 80,000 streetlights on streets, footpaths and arterial roads and also in various public parks and open spaces across Canberra.

In 2015, the ACT government called for an expression of interest for the management of Canberra's streetlights to deliver combined solutions. Fourteen submissions were received with the objectives of reducing operation and maintenance costs, achieving improved energy efficiencies and environmental outcomes, and exploring innovative ideas in line with the government's smart city initiatives.

Seven companies were invited to progress further, through a request for tender calling for an energy performance contract solution. Following a rigorous procurement process, three companies participated in an interactive detailed facilities study, which was completed in August 2017. Electrix Pty Ltd was selected as the preferred tenderer and awarded the seven-year energy performance contract. On 6 April 2018, the territory executed the contract with Electrix, who commenced as the authorised contractor to operate and maintain the streetlight network on 1 May 2018.



The contract, which was executed on 6 April 2018, provides for a mobilisation period from 1 May to 31 October 2018 to enable Electrix to undertake a number of preparatory tasks, including establishing its Canberra-based operations. During the mobilisation period, Electrix has also been addressing the backlog of faults that existed prior to 1 June 2018. As at 1 October 2018, Electrix has completed 2,098 of the 2,283 backlog jobs.

The energy performance contract is made up of three parts. The first is the operation and maintenance of the streetlight network. This includes repairing and/or replacing lights reported as faulty, mending underground and above-ground cable faults and attending and making safe vehicle crashes or collisions with streetlight columns and cables. The second is the replacement program of LEDs to be installed. This places the onus on the contractor to meet the guaranteed energy savings through the implementation of energy-saving measures. If the guaranteed energy savings are not met, the deficit is an amount owing to the territory. The third is the rollout of the smart city backbone, which will provide sufficient communications coverage across the territory. The smart city backbone will be able to report faults and outages associated with the streetlight network, which will be monitored in real time.

The energy performance contract focuses on faster response times when compared with the previous street lighting contract. Nominated response times to attend to simple defects, when reported by a third party, will be two days and take effect from 1 November 2018. This is compared to the previous 10-day turnaround.

Maintenance response times will be monitored through a rigorous abatement regime making the contractor accountable for defects raised by community members. The Electrix contract will also implement an improved digital control management system as part of the smart city backbone, which will improve capacity and accountability for responding to requests for service.

Importantly, the streetlight contract has a strong focus on safety, with the contractor upgrading wiring, where necessary, to ensure that streetlight assets meet current AS/NZS 3000 wiring standards.

The contract is based on the principles of collaboration and cooperation between the territory and the contractor. On this basis, safety and compliance have been part of an ongoing discussion with key stakeholders, including regulators across the ACT government directorates, to ensure that the next generation of lights are compliant with current standards.

The streetlight replacement program focuses on increasing energy efficiency and commenced on 6 September. The LEDs can be assembled into a module for use in lighting fixtures and boast a longer lifespan, lower energy use and less maintenance requirements when compared with traditional lamp lighting.

The program will target the higher power lamps to begin with, high-speed roads and arterial and collector roads. Work at a suburb level will follow.

Approximately 40,000 luminaires are scheduled to be replaced during the first three years in the accelerated LED upgrade program. The replacement program will maximise maintenance savings because intervention costs, such as the need to re-attend sites, will be reduced, especially on major and arterial roads with traffic management issues. There are benefits in targeting main roads because of the high-power lamps and the energy savings that can be achieved in these areas. Over the life of the contract, energy costs will be reduced by 40 per cent.

The contract will see the use of the highest quality light fittings, with 20-plus years of expected useful life. This will result in reduced operational and maintenance costs for the territory well beyond the completion of the seven-year contract period.

The last aspect of the contract is focused on implementing smart lighting functionality. Smart digital controls will be implemented as part of the energy efficient LED replacement program. This will include the installation of smart nodes at each upgraded LED luminaire and the establishment of a mesh communication network.

The smart city backbone provides opportunities for the trial and potential adoption of a wide range of smart devices, such as smart traffic controls and sensors, and may allow the network to interact with smart water, gas or electricity meters in the future.

The control maintenance management system, CMMS, will self-diagnose defects and enable optimised maintenance. The smart system will be focused on smart lighting controllers that will collect data from all the lighting points and also calculate, generate and distribute alarms to maintenance teams when needed. Energy consumption will be measured and reported accurately for each light point.

Customers will also be able to see the job status of streetlight defects. The implementation of the smart digital controls will mean that more streetlight defects will be detected and repaired before members of the public lodge a request for service.

LED lights also provide an output that is highly directional. A higher percentage of light can be directed towards where it is required, resulting in less wasted and nuisance light.

Madam Speaker, in addition to the performance outcomes I have just spoken about, this project will deliver significant cost savings and reduce greenhouse gas emissions through reduced electricity consumption.

The streetlight energy performance contract is a lump sum payment of \$13.5 million per annum over seven years, totalling \$94.5 million. The estimated cumulated guaranteed energy saving is over 110 million kilowatt hours over the seven-year period, an estimated cost saving of around \$20 million. In addition, the LED replacement and smart lighting program's operational and maintenance savings are expected to grow to approximately \$2 million per annum by the final year of the contract.

These self-funded upgrades will save the ACT taxpayer money and allow for the development of an improved and higher quality streetlight network that will support

Canberra as a smart city into the future. The improvements are also a key strategic action for the ACT government as they will contribute towards reducing energy consumption and support our move towards zero net emissions in the territory by 2045.

I present the following paper.

Economic Development and Tourism—Standing Committee—Report 1—*Report on Annual and Financial Reports 2015-2016*—Recommendation 2—Streetlight contract—Government response—Ministerial statement, 1 November 2018.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

## **Discrimination Amendment Bill 2018**

**MADAM SPEAKER:** Members, the Discrimination Amendment Bill 2018 is a co-sponsored bill. I will be calling Mr Barr, Minister for Social Inclusion and Equality, first and then be calling Mr Rattenbury, Minister for Justice, Consumer Affairs and Road Safety.

**Mr Barr** and **Mr Rattenbury**, pursuant to notice, presented the bill.

**Mr Barr** presented an explanatory statement and a Human Rights Act compatibility statement.

Title read by Clerk.

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (10.22): I move:

That this bill be agreed to in principle.

I am very pleased this morning to present the Discrimination Amendment Bill 2018, which I am delighted has been co-sponsored by the Minister for Justice, Consumer Affairs and Road Safety. This bill will improve the protection from discrimination provided by our Discrimination Act for both students and staff in non-government religious schools.

Madam Speaker, in the wake of the leaked recommendations of the Ruddock review into religious freedom, genuine concerns have been raised about exceptions in anti-discrimination laws at commonwealth, state and territory level that might allow students to be expelled or teachers to be fired because they are gay or because of their gender identity or other attributes protected by the Discrimination Act.

It is therefore important that we act decisively to reassure the ACT community that we will not allow students or staff to be subjected to discrimination in our education system, including in non-government religious schools, because of their sexuality, gender identity or other protected attributes.

Madam Speaker, the territory's Discrimination Act currently includes a broad exception for religious educational institutions. This may permit discrimination against students and staff because of their sexuality or other attributes where this discrimination occurs in good faith to avoid injury to the religious susceptibilities of adherents of that religion or creed.

Whilst the numbers of formal complaints to the ACT Human Rights Commission regarding discrimination in employment or education in non-government schools in the territory are low, the ACT government's LGBTIQ Ministerial Advisory Council has documented concerning personal accounts of staff who have reported that they have been treated unfairly in employment in non-government schools based on sexuality or other protected attributes.

It is possible and, in fact, highly likely that the mere existence of this exception in our law could by itself deter staff or students from raising formal concerns about any discrimination that they experience. In this debate it is important to acknowledge that religious schools of all faiths are an important part of our community and we support the valuable contribution these schools make to our diverse social landscape.

As a human rights jurisdiction we respect the right to freedom of religion and the rights of parents to send their children to schools that conform to their religious beliefs. However, these rights should be subject to reasonable limitations to protect other important human rights such as the right to equality and non-discrimination, the right to privacy, and the rights of children and young people.

The impact on vulnerable students of being treated unfavourably at school on the grounds of their sexuality or other protected attributes such as gender identity can be serious and cause long-term harm. Adolescence is a critical time of discovery and self-realisation. Feeling accepted and valued for who we truly are is the foundation for mental health and wellbeing.

This journey is even more challenging for young people who are same-sex attracted or who have diverse gender identities. Evidence shows that LGBTIQ young people face a considerably higher risk—considerably higher—of self-harm and suicide than other young people. These risks are further increased in a school environment that is experienced as isolating, unsupportive or discriminatory.

Research suggests that many LGBTIQ young people feel unable to share their true identity with teachers, counsellors or peers and fear that they will not be accepted for who they are. I am familiar with this experience, Madam Speaker, having been there myself. The impact of this secrecy, shame and isolation on LGBTIQ students can contribute to serious mental health issues such as depression and anxiety.

It is not acceptable, Madam Speaker. It is simply not acceptable that our laws could be seen to condone vulnerable young people being treated unfavourably because of their sexuality or other attributes by institutions entrusted with their care and education. The Deputy High Commissioner for Human Rights, Kate Gilmore, asked:

So how can we tolerate, for even one more minute, those norms, practices, laws or policies that render our most intimate selves—our innate and intimate identities—into a cause of self loathing, a basis for ostracizing, a reason for exclusion, an excuse for violence, make of consensual love and diverse gender identities a crime? ... These are matters of human rights—the rights of young people—and when we fail them in these, it is they who are paying for it with their futures—with their lives.

In the ACT we have a long and proud history of strongly rejecting exclusion and intolerance. I hope that in this chamber we can stand with our LGBTIQ students and families today and when we debate this legislation later this month. We support and value these students and families for who they are and we appreciate their contribution to our vibrant and diverse community.

Teachers and other staff at religious schools are also valued members of our community. They also require protection from discrimination in employment. It is not consistent with our values as an inclusive and progressive society for people to be excluded from employment based on inherent characteristics such as their sexuality or gender identity or other protected attributes such as their relationship status or whether or not they are pregnant.

Discrimination against teachers and other staff can also have a negative effect on students and on the broader school community, including a lack of diversity and positive role models for students who identify as LGBTIQ. It may be particularly damaging and divisive for students where a teacher who is known to students is asked to leave or subjected to some other form of discrimination because of a protected attribute.

We cannot be accepting and supporting of our LGBTIQ students whilst discriminating against their teachers on this basis. In this debate it has been observed that there appears to be agreement that discriminating against children and young people is a bad thing. So why, then, would discriminating against adults be a good thing? The same principles apply, and that is why this bill extends these protections beyond students to include also teachers and other staff in schools.

The bill we present today strikes the right balance between the right to freedom of religion and the rights of students and staff to equality and non-discrimination. It reflects the expectations of our progressive and inclusive community, our support and care for young people, for families and for teachers, and it marks another important commitment for this government in our journey to ensure that Canberra becomes and remains Australia's most LGBTIQ friendly city. I thank Mr Rattenbury for co-sponsoring this bill today. I commend it to the Assembly.

**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) (10.31): I am pleased to co-sponsor this bill, which will improve our Discrimination Act by strengthening protections against discrimination for both students and staff in religious schools. Discrimination against students because of their sexuality, gender identity or other attributes causes lasting damage and can seriously affect mental health and wellbeing, as well as engagement and attainment at school.

No child or young person should be made to feel ashamed of who they are in an institution designed to protect and educate them. Discrimination against teachers and staff can also have a devastating impact on individuals and on students and broader school communities. Our laws are an expression of our values as a society. It is clear that discrimination against LGBTIQ students or staff is not acceptable in our diverse and inclusive territory.

Exceptions in our Discrimination Act that may permit this to occur are not in keeping with our commitment to human rights and equality. This bill makes changes to provide greater protections for the equality rights of students and staff, while not unreasonably limiting the right to religious freedom in accordance with the Human Rights Act.

The bill responds to public concerns and reflects the expectations and values of our progressive, diverse and inclusive community in the ACT. The bill will repeal the broad exceptions in section 33 of the Discrimination Act that currently allows religious schools to discriminate against students and staff in relation to any protected attribute, including sexuality and gender identity, where this is done in good faith to avoid injury to religious susceptibilities.

The bill retains, but qualifies, an existing limited exception in relation to students, which allows religious schools to discriminate in relation to admission of a student, but only on the grounds of religious conviction of the student or their family. The bill qualifies this exception by providing that it does not apply unless the religious educational institution has published its policy in relation to admissions and this is readily accessible to prospective and current students and families.

This means that it will be incumbent on schools seeking to rely on this exception to be clear and transparent about the way in which their faith influences its admission practices. We consider that this exception is reasonable to allow schools to give preference to students of the religion for which the school has been established, for example, for an Islamic school to choose to admit only Muslim students or to give priority to Muslim students.

Allowing this freedom to create a school community where students and families share a religious conviction can serve an important purpose, particularly for minority communities, in creating a space where religious needs are understood and respected. However, it is important that prospective students and families understand the enrolment criteria of the school and that these criteria are applied consistently.

This bill will ensure that once a student is admitted to a school, no discrimination will be permitted against them on any ground. This reflects our commitment to the

wellbeing and human rights of young people and the role of schools to protect and support all students.

The bill also introduces a limited exception allowing religious schools to discriminate in employment or contracting of staff, but only on the grounds of the religious conviction of those staff, and only where the discrimination is intended to enable, or better enable, a religious school to be conducted in accordance with doctrines, tenets, beliefs or teachings of the school.

This provision is modelled on an equivalent provision in the Tasmanian Anti-Discrimination Act 1998, which is amongst the best available in Australian jurisdictions, in terms of the protections it provides. While this exception will permit a level of discrimination against teachers and staff, the ability for religious schools to employ staff who have religious convictions that are consistent with the doctrines and teachings of the school is an important part of the right to religious freedom.

Again, this exception does not apply unless the religious school has published its policy in relation to staff matters and this is readily accessible to current and prospective employees and contractors. This is important to ensure transparency and consistency of any religious conviction requirements of staff.

The bill also clarifies that a general exception for religious bodies in section 32 will not apply to employment or contracting or the admission, treatment and continued enrolment of students in religious educational institutions. The amendments proposed in this bill are intended to rectify potential limitations on human rights arising from existing exceptions for religious educational institutions in section 33 of the Discrimination Act.

These amendments promote the right to equality and non-discrimination, the rights of children to protection and the right to privacy. The amendments will engage and limit the right to freedom of thought, conscience, religion and belief. They engage and potentially limit the right of parents to ensure the religious and moral education of a child in conformity with their convictions.

However, in the context of the scheme of the Discrimination Act as a whole, these limitations are reasonable and proportionate in accordance with section 28 of the Human Rights Act. This bill is an important improvement to our discrimination laws which are aimed at ensuring that students and staff are treated fairly and equally in all of our ACT schools.

Madam Speaker, this bill also sends a clear and consistent message that we live in an inclusive, supportive city and that this government reflects the overwhelming views of our community. It is about walking the walk, not just talking the talk, when it comes to reducing vilification and discrimination.

It is my sincere hope that no ACT student or teacher will be ostracised or excluded from their choice of education or opportunity for employment on the basis of their gender, disability, race or sexuality. I commend the bill to the Assembly.

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

## **Residential Tenancies Amendment Bill 2018 (No 2)**

**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) (10.38): I move:

That this bill be agreed to in principle.

I am pleased to present the Residential Tenancies Amendment Bill 2018 (No 2) which includes a suite of amendments to make renting better and fairer for tenants. It is fitting that this bill is introduced in the same week as the Chief Minister and the Deputy Chief Minister have launched the government's housing strategy. Ensuring that people have secure livable and affordable housing is something that requires all of government and all governments to work together, and I am pleased that the ACT government is pulling its weight.

The amendments in this bill recognise that the rental sector is changing. The 2016 Australian Bureau of Statistics census of population and housing found that 31 per cent of Australian households rented their housing; 26 per cent rented in the private sector. Research has found that the private rental sector is no longer a stop-gap for young people who go on to buy their first home. There are more private renters at midlife, and more private renters are families with children. There are also more long-term renters in the sector who rent properties for more than 10 years.

Everyone in Canberra has a right to make their house a home, and a significant number of people will have their lives improved by this change. This bill represents another step towards helping renters to be secure in their homes and it is a key component of this government's broader housing strategy. We view housing as an important right and we will continue to work to ensure that everyone is entitled to live securely and fairly.

These amendments make renting fairer by recognising the importance and value of pets, by recognising basic rights to settle into a home through modifications and by ensuring a fair balance of rights between tenants and landlords for ending leases and changes to rental rates.

The changes in this bill are the product of consultation with renters' rights advocates, including the Tenants Union, and the Real Estate Institute of the ACT. In line with our housing strategy, this bill is fundamentally about stronger protection for tenants. We are committed to ensuring that our laws protect the people who need protection most. But let me turn firstly to the improvements this bill makes to the liveability of rental properties by providing better rules around pets and modifications.



This bill will provide that the standard residential tenancy terms include by default a clause giving tenants the right to keep a pet. Pets can make us physically and mentally healthier, and they are family to their owners. The ACT has one of the highest rates of pet ownership in Australia, and this reform will create a default situation where tenants are allowed to own pets and only if there is a sound justification on the part of a landlord can that be changed.

If a landlord wants to exclude pets and cannot come to an agreement with the tenant, the landlord can seek orders from the ACT Civil and Administrative Tribunal. The tribunal will consider the matter according to some straightforward criteria, for example, whether the house is not suitable for the animal or whether keeping the animal would cause unreasonable damage. The full set of criteria in the bill provide a foundation for fair decisions that respect the importance of pets and the legitimate interests of property owners.

There is an important provision about liability in this bill which provides that landlords cannot be taken to have assumed any duty of care they otherwise would not have had simply because of their engagement in consenting to pet ownership. This bill is not intended to force landlords to incur additional liability because a tenant keeps a pet.

The bill will also improve livability by setting out where tenants can make modifications to a property. Again, minor modifications can make a substantial positive impact on the livability of a residence. They, like having pets, can shift a building into a place that is home for tenants. Minor modifications can be prescribed by regulation, and tenants can make them after seeking written consent from a landlord.

The same is true of special modifications, which include disability and safety changes. For example, a special modification for safety could be a furniture anchor or a child safety gate. The bill places the onus on landlords to seek ACAT approval to refuse any minor or special modifications.

Tenants will be responsible for restoring the premises to substantially the same condition as they were in at the start of the tenancy, barring fair wear and tear. The parties can also agree to leave the modifications in the property and, unless otherwise agreed, the tenant pays the cost of any addition or alteration to the premises.

For other types of modification the bill places the onus on the tenant to apply to ACAT for review if the lessor does not give permission. These changes include giving tenants a firm and fair basis for making changes to their homes while the protections ensure that landlords have a right to keep their properties in the condition they expect.

In addition to making a tenancy more livable, this bill recognises the importance of fair negotiating positions for both tenants and landlords in terms of decisions about moving, and about rent. Currently, the Residential Tenancies Act requires the tenant to apply to ACAT for review of excessive rental increases. The bill reverses the onus. If a landlord and tenant cannot agree on a rent increase that is greater than 10 per cent

above the housing element of CPI, the landlord will have to apply to the ACAT to consider the proposed rent change.

This change will give stronger effect to our existing formula for evaluating changes in rent. It does not mean that a rent increase above the basic formula cannot be justified; what it means is that there will be oversight on the fairness of the decision.

The bill also includes an amendment to more fairly manage the situation where tenants move out early. The Residential Tenancies Act currently provides that the tenant and lessor can agree to include an optional break-lease clause, which requires the tenant to pay a break-lease fee for terminating a fixed term tenancy agreement early.

The amendment retains the option to include a break-lease clause in the residential tenancy agreement, but limits the fee to the loss experienced by the lessor. For example, this will mean that in a share house if a tenant moves out and another moves in on the same day, the landlord cannot charge the full break-lease fee.

As a package these amendments represent yet another step in our work to ensure that everyone in Canberra can make their house a home. We are committed to viewing housing as a human right, and our housing strategy provides us with a framework for considering the bill and for delivering even more protections for Canberrans over the coming term.

We will continue to work with tenants groups and others to deliver even stronger reforms over the rest of this term. We will be looking at measures to ensure that tenants do not face retaliation for exercising their rights. We will be looking at how agents manage and offer places and, importantly, we will be bringing forward legislation to deal with share housing, caravan parks and other living situations currently dealt with through occupancy principles. Our focus in these reforms, as in this bill, will be to contribute to equitable, diverse and sustainable housing for all Canberrans. I commend the bill to the Assembly.

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

## **Gaming 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) (10.48): I move:

That this bill be agreed to in principle.

I am pleased to introduce the Gaming Legislation Amendment Bill 2018 into the Assembly. This bill represents a significant milestone in delivering on our commitments to bring forward stronger gambling harm protections, and to promote a diverse, sustainable and community-focused clubs sector.

This government values its partnership with clubs and with the community. We have worked closely with the industry, community advocates, unions and individuals who have lived experience of gambling harm to develop these reforms. This government believes that we can reduce the number of gaming machine authorisations, achieve stronger harm minimisation and develop a stronger clubs sector all at the same time. That is because we know that our clubs are places to support their local communities through sport, culture, and through social connections and are not just places to gamble.

This government's view is that reliance on gaming machines as a primary source of revenue is not sustainable. Many clubs themselves recognise this and are engaging with the government right now to take up incentives that will promote new business models and reduce gaming machine numbers at the same time. Today's legislation will maximise community benefits from gaming revenue, it will provide more robust harm minimisation rules, and it will legislate the government's commitment to implement the clubs industry diversification analysis report.

A key purpose of this bill is to implement the outcomes of the government's review of the community contributions scheme. This bill will maximise returns to the community by adding an additional 0.8 per cent levy on net gaming machine revenue. Half of that amount will go to gambling harm minimisation initiatives. The other half will go to the Chief Minister's charitable fund, which means that charities that do not have an established relationship with clubs will get funding from gaming revenue. This amount will also apply to for-profit hotels which until now have had no community contributions obligations.

Support for community groups will also be strengthened through new rules for in-kind contributions. For all large clubs, that is, those with turnover of more than \$4 million in gaming machine revenue, things like room hire will only be able to account for a quarter of their eight per cent obligation. This change will ensure that monetary support for charities is maximised through the scheme.

Earlier this year I tabled a response to an Auditor-General report on the community contributions scheme and this bill also delivers reforms to address that report. The definitions of what can count for a community contribution have been strengthened, and we are consulting on the technical aspects of those categories right now. Our policy goal is to ensure that junior sport, charities and other community-focused efforts are supported even more through gaming machine revenue.

There will be a new requirement for clubs to make the community aware of the clubs community purpose contributions and for the clubs to consider community need when making a contribution. This provides transparency for members of the community.

In order to further ensure that gaming machine revenue meets our community support targets we will be introducing a higher shortfall tax. Currently, any club that fails to meet its eight per cent community contribution target pays the shortfall as tax to the territory. This legislation will increase that to a 150 per cent tax so that clubs have a direct financial incentive to make contributions to the community first. That shortfall tax will go to reducing gambling harm.

As a package the changes in this bill to the community contributions scheme will maximise returns to community groups. In addition to offering more returns to the community, this bill will strengthen protection against gambling harm. There are amendments included to provide additional enforcement and transparency measures and a higher maximum financial penalty for disciplinary action.

The maximum penalty for failure to meet the obligations of gaming machine licence holders under the Gaming Machine Act 2004 will increase from \$100,000 to the higher of \$1 million, 10 per cent of gross gaming machine revenue—or GGMR—from the previous 12 months or three times the benefit obtained where that amount can be determined.

An important change in this bill is that the decision about a financial penalty must also take into account any impact statement by the affected individual. This allows people who have experienced gambling harm to have a voice in the process and for the regulator to receive direct evidence about the impacts on the community. There will also be a public register of disciplinary findings against licensees.

The bill further enhances the regulatory tools available to the Gambling and Racing Commission by providing for enforceable undertakings. This is a similar approach to work health and safety and consumer laws.

These measures are part of a comprehensive package to support our local clubs and to enhance our gaming harm protections. That is why, as we committed to do in August, this bill lays the foundation for a fair, transparent path to reach 4,000 gaming machine authorisations through an incentives package.

The dates, figures, and details of the legislation implement the government's response to the club industry diversification analysis by Mr Neville Stevens AO. I am pleased to report that clubs are already engaging directly with Mr Stevens to work out voluntary reductions in their numbers of gaming machine authorisations.

We welcome the opportunity to work with clubs to strengthen and diversify their businesses, and we will continue to do more over the rest of this term. A diversification support fund will be established, funded by industry contributions based on the number of gaming machine authorisations held.

Industry contributions to the fund will be matched by government funding for the first three years. The contribution rate for the first 99 authorisations held at a club venue will be \$20 per month, rising to \$30 per month for each authorisation over this

amount. Legislation will be brought forward for this in the first half of 2019 and the fund will commence on 1 July 2019.

Additionally, new training will be developed for staff at clubs for implementation after 1 July 2019. New training will be mandated for club directors for implementation after 1 July 2019, and the 50 per cent gaming machine tax rebate for small or medium clubs or club groups will be reviewed in November 2019.

Further harm minimisation support measures will be developed. Updates to the gambling code of practice to support identifying signs of gambling harm and responding, including through self-exclusion, will be delivered before the end of 2019. These changes will reflect the discussions had at the harm minimisation round tables I have had over the past 12 months.

This bill also provides some certainty to the clubs sector on gaming machine policy. It commits the government to review the trading scheme on gaming machines by May 2025. The five-year review period will allow time for the government to evaluate the impact of the reduction in gaming machine authorisations and the operation of the trading scheme. It will also give regulatory certainty so that clubs can plan for diversification and deliver new business models.

The government is delivering on its promises. We committed to bringing forward strong gambling harm prevention measures. We also committed to maximising community benefits from our gaming machine industry. Following from our gaming machine tax rebate and grants program, this bill is yet another demonstration of our commitment to support our clubs to be sustainable, diverse and community focused.

We will continue to work with clubs, club workers and the community to achieve stronger harm minimisation, greater community benefits and to support our local clubs. I commend the Bill to the Assembly.

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

## **Standing orders—suspension**

**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 so much of the standing orders be suspended as would prevent Assembly business, notice No 3, being the referral of changes to the lobbyists register to the Standing Committee on Administration and Procedure, being called on and debated forthwith.

The government is seeking the suspension of standing orders to refer an important matter to the Standing Committee on Administration and Procedure. I understand that the substantive motion has been discussed within that committee and arose from a

letter the Chief Minister wrote to the committee. I hope that we can agree on the suspension of standing orders to discuss this matter.

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

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

**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 the Standing Committee on Administration and Procedure:

- (1) inquire into, and report on, expanding the scope of the ACT Register of Lobbyists to cover in-house government relations staff, industry associations and project management liaison officers and companies; and
- (2) report back to the Assembly by 29 November 2018.

I thank the Assembly for agreeing to the suspension of standing orders in order to facilitate this motion. As all parties and members of this place look to strengthen the integrity framework that applies to our public servants and electorate officials, we should also look at the rules in place for lobbyists. There is a concern around the adequacy of the current lobbyist register. Given that the lobbyist register sits under our standing orders it is appropriate that the Standing Committee on Administration and Procedure undertake this review.

I also believe that the timing referenced in the motion is appropriate. I understand that there is a wish across members to consider the integrity commission prior to the Assembly adjourning for the year. Given this, it is also appropriate that a review occur and advice be provided back to the Assembly within this timing.

In closing, I note that the government took to the election commitments to strengthen the lobbyist register and that the parliamentary agreement also reflects similar sentiments. So I urge all members to support this motion and commend the referral to the committee.

Question resolved in the affirmative.

### **Independent Integrity Commission 2018—Select Committee Report**

Debate resumed from 31 October 2018, on motion by **Mr Rattenbury**:

That the report be noted.

**MRS DUNNE** (Ginninderra) (11.02): I know that Ms Lee wants to speak on this motion as well.

**MADAM SPEAKER:** Is that a call for her to come to the chamber perhaps?

**MRS DUNNE:** I think that is probably an indication that Ms Lee should come down. I was going to let her speak first because she is the deputy chair but seeing she is not here I would not want to let the opportunity pass. As members know, I came to this issue late in the game and I was there as a substitute for Mrs Jones, who was on leave.

It was a very singular honour to be involved in this committee and I think that it is important to put on the record my appreciation to my fellow committee members, the excellent chairing by Mr Rattenbury and the excellent support provided by Mr Hamish Finlay in the secretariat. To turn around a very complex issue and to synthesize it into a mere 80-odd pages—only 75 pages—of committee report is, I think, quite a job of work.

I think that the committee worked very well together, and one of the comments that I made in the committee—and I will repeat it here although it will not come as a surprise to members that I might have this view—was that this is an extraordinarily useful way of dealing with legislation, particularly complex legislation. I think that the Assembly is the poorer for not having subject matter committees look at legislation in a more thoughtful way more often.

We have seen it with the report that Ms Lee brought down yesterday from the JACS committee in relation to the consent bill. It does provide an opportunity for people to look at especially complex issues in a way and cast a light on it that we do not often see. The thing is that, when we do these things, we will find that the things that divide us are very few and the things that unite us are very many. And this is the case with this report. I thank members for the opportunity to have been involved in what I think is a very important piece of legislation.

I am going to comment on some of the recommendations and I have chosen these because of their impact on the Legislative Assembly and on you, Madam Speaker, because I did look at a lot of these things through the prism of my experience of having been Speaker. I know that Mr Rattenbury also shared some of the views that I expressed. It was unusual to have two former speakers on a committee to look at such important legislation.

There are some things that I think Mr Rattenbury and I agreed on. One was that there should be further discussion with you, Madam Speaker, about this because it is unusual for a chamber, especially a chamber this small, to have a current Speaker and two immediate past speakers all from different parties, all with a particular interest in making sure that the legislature runs as well as possible.

I believe that the officers of the Legislative Assembly legislation is very important and it does raise to a new height important integrity organisations. But I think that the work that is involved for the Speaker in this legislation actually increases the level of work required by the Speaker, and the level of assistance that the Speaker will require, to a new height.

Recommendations 15 and 16 touch on the Speaker's workload and the issues that arise from that. It has been my view for a long time that the Speaker does need their own independent advice on the operation of officers of the Legislative Assembly-type legislation, that is, the Auditor-General Act, the Ombudsman Act, the electoral commission Act and now, when this bill passes, this legislation.

Although the Clerk made a recommendation that there should be some authorisation in the legislation to allow the integrity commissioner to provide advice to the Speaker, until the integrity commissioner is established there is no-one in that space to provide advice to the Speaker about the operation of the body. And considering that you, Madam Speaker, will have a substantial and large job of recruitment ahead of you, we also believe that there needs to be another look at how the Speaker is supported in performing statutory roles under the officers of the Assembly legislation. And that is referred to in recommendation 16. I think that that is a very important role and there is a job of work to be done by the Standing Committee on Administration and Procedure in that regard.

We had a long discussion about the roles of and the interaction between the integrity commissioner and the Commissioner for Standards, and the committee came to the view that the Commissioner for Standards should not be referred to in legislation because it is not a legislated position. It is established under the standing orders. Recommendations 30, 31 and 32 are about how the Commissioner for Standards and the integrity commissioner might interact and it may be necessary to amend continuing resolution 5AA.

In relation to members' statements of declaration of interest, the committee took the view that members' declarations of interest should be a matter that the commissioner can refer to. We originally took the view that that was a pretty straightforward thing because the declaration of interest is published on the Assembly website but we were eventually persuaded that perhaps there need to be specific provisions in the legislation to permit the commissioner to make use of members' declarations because there has been a case in New South Wales where a member, although it is a published document, claimed parliamentary privilege over the use of that document by the commissioner. We would not want to be in that situation here. We think it just does not pass the pub test.

There are other provisions that are of importance to the Legislative Assembly. We believe that it is important that the inspector, no matter how that inspector is appointed, should be approved by a two-thirds majority of the Assembly. And then there are issues about the relevant committee. The committee took the view that there should be a dedicated committee that deals with the oversight of the integrity commission. I know that that may not be a view that is popular with the Clerk.

We do recognise that in different jurisdictions the oversight committee has differing workloads—and in some jurisdictions they have a much heavier workload than in others—but especially in the early days of the establishment of the integrity commissioner we believe that the committee may have a considerable job of work to do and it is better that that is separated from other committee work.



The other logical places for it to go are already the busiest committees, that is, the public accounts committee or the justice and community safety committee. They could reasonably perform those roles but they already have a significant workload, and I think that it would be that all the work of those committees would be distracted from by adding another set of duties.

There are a few other things. In recommendation 23 we say quite clearly that we believe that the Clerk of the Legislative Assembly should be subject to mandatory corruption notifications but we make it clear that that is, along with other officers of the Assembly, in relation to not to their statutory responsibility but to the administration of their offices. So it is as the head of an agency that they should be ensuring that there is no corrupt activity in their agency and, if there is, that they must report it. But we also took the view very clearly that the advice being given by the Clerk to a member does remain privileged in the way that it always has.

Moving away from things that relate directly to the Assembly, the administration and procedure committee and the responsibilities of the Speaker, I just want to highlight two other recommendations. The first is recommendation 43. One of the things that we found when we perused the legislation—both the exposure draft and Mr Coe's draft bill—was that there was not a comprehensive list of general offences against obstructing the commissioner and the inspector, and we have made a recommendation that there should be provisions similar to those in part 9 of the New South Wales act to make sure that obstructing the commissioner, the inspector, their staff or witnesses are covered by general offences.

One of the other things, which is one of my little hobbyhorses at the moment, is the last recommendation, recommendation 54, which calls on the government to establish a comprehensive review of the Public Interest Disclosure Act with a view to implementing the changes by 2020.

As I said at the outset, this is a very important body of work. There is clear cross-party, across-chamber support for the passage of this legislation, and I think that the work of the committee will make the passage of that much easier. I also think that recommendation 3, which sets out the path forward, is a good approach. It is not ideal but I think it is as good as we can get if we are going to meet the general commitment to pass this legislation this year. I commend the recommendations and the work of the committee to the Assembly.

**MS LEE** (Kurrajong) (11.15): It was like bringing the band back together—and, like with all good bands—with a member leaving and a new member brought in. Whilst we missed the ever-passionate contributions of Mrs Jones, it is fair to say that the committee was well served by the experience and knowledge of Mrs Dunne's contribution to the inquiry. I can confidently say at the outset that we, as we did during the first select committee's inquiry, worked extremely well together on examining a topic that is of such interest and importance to the entire Canberra community.

I thank Mr Coe for tabling the Anti-corruption and Integrity Commission Bill, which helped move this important debate along. Whilst it made for a lot of reading, the fact that we had this bill as well as the government exposure draft meant that the committee and the general public were able to look at both pieces of legislation and the committee could do our best to extract the best parts from both.

The submissions we received and the subsequent evidence made clear that there were good things in both, and it was up to the committee to ensure that those good things were captured in our report. I sincerely hope we have done it justice.

As the chair mentioned in his tabling speech yesterday, there were a handful of points which various committee members made footnotes on, and where other members have done so I am sure they will speak to them if they wish. One issue where Mrs Dunne and I deviated from the majority of the committee was on the point of the powers of the commission in conducting a preliminary inquiry. Whilst we all acknowledged that the purpose of a preliminary inquiry is to ascertain whether there is enough *prima facie* evidence to proceed with a full investigation, the commission must have strong powers and the discretion to make certain calls, even early on.

Mrs Dunne and I were of the view that the commission's powers in conducting a preliminary inquiry should be at least equivalent to that of an Assembly committee. On that basis we were of the view that certain compulsion powers with adequate protections and restrictions should be allowed in order to obtain evidence to make an informed decision about whether that evidence was sufficient to justify calling for a full-blown investigation.

The definition of corruption was an interesting discussion and the committee referred back to the previous select committee's strong recommendation that the definition be drawn from the New South Wales legislation. The Chief Minister in his evidence acknowledged that the government's exposure draft deviated somewhat from the New South Wales definition and, accordingly, the committee discussions resulted in a recommendation that the New South Wales definition be adopted but acknowledged that the inclusion of the definitions of serious and systemic corruption were appropriate.

On the issue of public versus private hearings, members may recall that there was quite a lot of discussion around this and the previous select committee's recommendation was that it be left to the discretion of the commissioner based on a public interest test.

The evidence we received about the risk of this turning into a lawyers' picnic with legal challenges perhaps frustrating the commissioner's investigation gave us some food for thought. In my mind it was a matter of weighing up the need for transparency to foster public confidence, paying homage to that old adage that justice must be seen to be done, and the unduly harsh breach of someone's privacy and damage to reputation in the event of the ultimate finding being that there was no corruption.

The Chief Minister made it clear in his evidence that it was not the government's intention to draft the legislation in a way that the decision to conduct a public or a private hearing was one way or another determined but that it would be left neutral. I was concerned that some witnesses did not read it that way and that there may have been some inadvertent drafting that has resulted in a quasi-default private hearing.

An example in this instance that I point to is section 139 of the exposure draft which requires the commissioner to essentially justify to the inspector a decision to hold a public hearing with notice to be given to the inspector at least seven days prior to the hearing. The concern here is that the commissioner is having to justify his or her decision to hold a public hearing and that if the requirement is that the notice must be given at least seven days prior, presumably it allows the inspector to veto that decision.

The committee did not envisage that the inspector's role would be to have a day-to-day second-guessing of the commissioner's decisions, and the report reflects the committee's conclusions that the inspector have the important and powerful role of having oversight over the operations of the commission but not as the vetoer of the commissioner's day-to-day operational or investigative decisions.

The issue of retrospectivity and the exposure draft's provisions to prevent the commission from investigating matters that have already been scrutinised by other bodies was also an issue of great public interest. In giving evidence before the previous select committee the Auditor-General clearly stated it is not her role to make findings of corruption. This is in stark contrast to the remit we have for the commission, and on that basis I was strongly of the view that a previous investigation by another body should not be a bar to the commission deciding to investigate the matter in the event the commissioner believes it appropriate to do so. I am pleased the discussion in the committee resulted in a recommendation which sees the commissioner's decision to investigate a matter previously looked at to be based on a public interest test.

The fact is that in setting up a body with strong powers, like this one, the commissioner to be appointed must be someone with the respect of the entire community, someone who has the experience and the gravitas that the role requires. The commissioner's independence and robust discharge of his or her obligations should be protected.

In this regard the discussion about the eligibility of the commissioner was discussed at great length and I took on board the concerns that narrowing the field too much had the risk of leading to the reality of choosing from a very small pool of people, most likely limited to old white men, as was stated. The committee's ultimate conclusion that it require a two-thirds majority approval of the Assembly with the requirements of expertise and experience together with the appropriate restrictions to avoid conflict or a perception of conflict is a good balance.

There were, of course, also very technical discussions about privilege and derivative immunity. I am grateful for the evidence from our legal experts and the Clerk on assisting us to navigate these complex and important issues. I think we reached a good

conclusion on recommendations around these issues and I hope that they are helpful in the forthcoming debate in the chamber.

We abide by and respect the Latimer House principles. Of course, as an officer of the court and a lawyer I am acutely aware of the importance of the separation of powers. I know Ms Cody's and Mr Steel's view that the judiciary should be excluded from the jurisdiction of the commission in part as the judicial commission exists to deal with judicial officers.

On considering this issue I was mindful that if we are to start exempting certain groups, where do we draw the line? Judges are appointed from a pool of very highly distinguished lawyers. They should not, however, be exempt from scrutiny, especially as it is clear that it is not the role of the judicial commission to find or expose corruption. In the absence of the judiciary being included in the commission, the only option left would be the police.

The commission is to be the paramount body when it comes to integrity in the ACT. We acknowledge the important role that it will have in educating the public in the fight to prevent corruption. This is a function that the committee believes is important to foster public confidence in our public officials and decision-makers.

I thank the committee members, especially our chair, Mr Rattenbury, and the committee secretary, Hamish Finlay, who was required to pick up an enormous amount of work on such a highly technical and important topic given that he was not involved in the previous select committee's inquiry. Of course, that thanks extends to the entire committee secretarial office.

I also wish to thank Mr Coe for bringing forward his bill, which I think went some way to ensuring that we could get this discussion and debate kickstarted. I commend the report and the recommendations to the Assembly.

Question resolved in the affirmative.

### **Justice and Community Safety—Standing Committee Report 3**

Debate resumed from 31 October 2018, on motion by **Ms Lee**:

That the report be noted.

**MS LE COUTEUR** (Murrumbidgee) (11.24): I thank the committee, the submitters and the broader community. It is very important and very pleasing to recognise that the overwhelming weight of responses to the committee inquiry were in favour of law reform. This reflects the views of the community who are shouting out about the need to clarify the law.

I want to thank those experts, community organisations and individuals for their submissions, because without their input it is unlikely that the report would have come up with such positive recommendations. I also want to thank and acknowledge

them for working tirelessly to support survivors of sexual assault, to raise community awareness, deliver education programs and try to prevent further abuse from happening. Ultimately, that is my goal with this legislation.

The call from the community is very clear: consent should be free and voluntary, and that is what our law must say. I am very pleased that that was also the conclusion of the committee. Recommendation 4 states:

The Committee recommends that a definition of consent based on a concept of free and voluntary agreement, and affirmative and communicative consent be considered for enactment into ACT law.

Some people might ask: why is this important? When the #MeToo movement started, I, like many other people, put on Facebook that I was in this category, and asked my friends if it applied to them. Only one of them said that it did not. I actually found that that one woman was more surprising than the scores of people who said that they had been harassed. Sexual harassment has been so common in my life, and in my friends' lives, that I assumed that it had been part of every woman's life.

I have also been raped. I can say that, of course, it has affected my relationships with men for a very long time, not just in the immediate aftermath. One of the few pluses of getting older is that I now worry less about rape and sexual assault, as I am no longer a nubile young woman.

It is important to recognise that while women are most often the victims of male sexual harassment and assault, we, of course, are not the only victims. One of the things that the royal commission into sexual assault in institutions made clear was that there are a lot of male victims of sexual assaults. A clear definition of consent as free and voluntary agreement will help both genders, and, of course, those who do not identify as one of the binary genders. These are legislative changes that we should make for all people.

I do not want other people, young or old, of whatever gender, and of whatever social status, to feel the shame, sheer fear, lack of trust, contradictory feelings and stigma all too often associated with being a survivor of sexual assault. It is important to speak out about our experiences and show other people that they are not alone, we are not at fault and that they are believed. Related to this is the committee's recommendation 8, which states:

The Committee recommends that, in conjunction with legislative change and amendment, that a complementary education program on consent be put in place. The Committee also recommends that such a campaign especially focus on young people.

Again, this is my view, and it was overwhelmingly the view of the community. We certainly need a lot more education on this. The law should set the standard. It is at the top of the pyramid. But we then need to teach particularly our young people—all of the community—about this standard and how, respectfully, it can be implemented and reached.

The committee talked to a large extent about legal issues. I agree with their recommendations on the whole, although I admit to being totally unsure as to what recommendation 5 means. It says:

The Committee recommends that in Section 67 of the *Crimes Act 1900*, a provision that consent is not negated if a person does not say or communicate consent be included.

**Ms Lee:** There is a corrigendum.

**MS LE COUTEUR:** This may be clarified by Ms Lee; suffice to say that prior to being here I was a computer programmer and years of experience have informed me that sentences with three negatives are almost incomprehensible to people as a whole. I suspect that this comes within that category. I am assuming this was an error, but I will leave Ms Lee to speak further on this.

I certainly agree with recommendation 6, which states:

The Committee recommends that any legislative changes retain the fundamental presumption of innocence until proven guilty in that the burden of proof beyond reasonable doubt must remain with the prosecution.

I admit that I have been really surprised at the amount of opposition to changing the law, and I was flabbergasted at the view put forward to the committee that it was obvious what consent meant, so why bother changing the law? It is an interesting view which I think many people who have been on the wrong side of this debate would have great difficulty agreeing with. What it reflects is that our society's views on sexual consent are changing. Not that long ago, once you were married, you had legally agreed to all and any sexual activities with your husband. Marital rape was simply not a concept which made sense.

Fortunately, in Australia now, at least officially, we no longer regard women as possessions of men. These misogynistic and patriarchal views are, I am sure, part of the reason that there has been so much resistance over the years to a definition of consent that implies a more equal—in fact, hopefully an equal—relationship between the genders and between all people, no matter what gender they may be.

While I do agree with the Attorney-General that it is prudent to wait until the New South Wales law reform inquiry has reported before finalising any new or amended legislation in the ACT, there are already lessons that we can learn from New South Wales, in particular how the operation of an affirmative definition of consent has worked in New South Wales since it was introduced a decade ago; and, more specifically, some of the issues that have remained in prosecuting sexual offence cases, including victim blaming assumptions and mentalities, and, most importantly, expert views on how the problems that New South Wales has experienced over the 10 years of having a positive definition of consent can be mitigated and minimised to ensure that the intent of the law is upheld without impinging on the right of all people to be assumed innocent until proven guilty.

It is important to remember that we are seeking to reform the law here in the ACT, and we have to consider and act on the views of ACT stakeholders. Positively, the New South Wales election will be held in March next year, so I think we can be confident that the committee will meet the timetable of producing a final report in February next year. The way will be clear for the ACT to act on this.

Looking at the way forward, my aim, obviously, is to ensure that the Assembly has a new bill to consider as soon as practicable following the results of the New South Wales Law Reform Commission's inquiry and any other considerations that we need to have. Usefully, the committee has put forward some suggestions about how this could happen. In recommendation 9 the committee said:

... recommends that the ACT Government establish a cross-government, cross-sector working group, which includes representations from women's organisations, sexual assault and domestic violence services and the legal fraternity, or alternatively, that the ACT Government utilise an already existing group to provide advice on how the government can improve prosecution outcomes for victims of sexual assault, specifically with regards to consent.

I have been trying to talk to the Attorney-General's office, without success as yet, more fully about what the Attorney-General had in mind regarding what was written in the committee's media release yesterday, which reads:

The Committee has accepted an assurance from the Attorney-General that the bill's proposals will be considered following the publication of the report on consent in relation to sexual offences currently the subject of a major inquiry and report by the New South Wales Law Reform Commission. The Committee supports this approach.

In summary, I thank the committee for their detailed consideration of this important matter. I thank all the people who contributed to that consideration for their work on this. I thank the members of the community who have been strongly pushing for change in this area, and I look forward to this Assembly progressing this important issue in the next year.

**MR PETTERSSON** (Yerrabi) (11.35): I rise to speak about a particular recommendation, recommendation 4: that the ACT Legislative Assembly consider legislating an affirmative consent model. Currently, the ACT is the only Australian jurisdiction that does not have a statutory definition of consent; rather, section 67 of the Crimes Act provides a non-exhaustive list of circumstances in which consent is negated. Included in this list are intoxication, mistaken identity, threats of violence or abuse of authority. Although a definition exists in the common law, the lack of legislative clarity does not meet community expectations.

The justice and community safety committee has heard from a number of submitters, stakeholders and activists, and I want to thank each and every one of them for the sincerity and the strength of their words. Their contributions were humbling in many ways. I also want to thank my fellow committee members. You could not ask for a better bunch of committee members, that is for sure.

People want a clear definition of what consent is. Rather than relying on what does not constitute consent, the affirmative consent model defines consent in terms of a positive act. A commonly used phrasing defines consent as a “free and voluntary agreement”, and that consent does not exist if the person does not say or do anything to communicate consent.

Affirmative consent exists in Tasmania and Victoria, and New South Wales are currently in the process of reviewing their legislation. The affirmative consent model puts the focus on open communication from all participants. Communication is essential for healthy and respectful sexual relationships. It represents a shift away from the concept of “no means no” to “yes means yes”.

Affirmative consent is more in line with modern understanding of trauma. In the context of sexual assault, often victims freeze and are unable to move or speak. This does not mean that they are consenting but that they are unable to say no in the moment. It can be extremely traumatic for survivors to be asked questions like, “Why didn’t you say no? Why didn’t you fight?” This can lead to feelings of shame and helplessness.

Awareness of this response and the importance of affirmative consent both validates survivors’ experiences and educates people that a lack of response does not mean that a person is consenting to a sexual activity. In the criminal justice system, this can lead to situations where a perpetrator is not convicted, despite a court finding that the victim did not consent.

Members would be aware of the recent highly publicised case in New South Wales where this occurred. The rightful community outcry at this decision has had the positive effect of putting affirmative consent on the public agenda. I thank Ms Le Couteur for bringing forward this legislation.

As well as having the benefit of recognising common victim behaviour during assault, a “yes means yes” model encourages healthier and more positive communication about sexual boundaries between partners. Constant communication should be encouraged so that no participant feels that their boundaries were violated or are generally uncomfortable about the experience. Affirmative consent acknowledges that sexual relationships should be a mutually enjoyable experience. Sex should not be viewed as an act that person A does to person B; rather, it is an act that person A and person B mutually engage in and enjoy.

The affirmative consent model would be a positive step forward in our legislation. It more adequately addresses community expectations and understanding. It makes sense to define something as what it is, not what it is not, and consent is no different.

Changing the law will not completely stop sexual violence and rape culture, but it will make it easier for survivors to come forward and it will prevent situations like the Lazarus case from occurring again. “Yes means yes” is fundamentally a healthier and more respectful understanding of what consent should be. It should be the legal definition as well.



**MS LEE** (Kurrajong) (11.39), in reply: Once again I thank Ms Le Couteur for bringing forward this bill because it does cover an important topic which is, of course, of great interest to the entire community. I reiterate that it was a difficult inquiry, in the sense that it did conflate some very difficult and very technical legal issues, touching on fundamental concepts such as innocence until proven guilty and the burden of proof beyond a reasonable doubt, when it comes to criminal matters, on the one hand, and the very clear call from our community that there should be an affirmative definition of consent in legislation which reflects not only the current law but also the accepted community standard that “yes means yes” on the other hand.

I turn to recommendation 5, and I thank Ms Le Couteur for raising it because it does seem to have confused some people. On reflection, I have reconsidered the wording, and on behalf of the committee I do apologise for that perhaps clumsy wording that has sent a few people off course. That is why yesterday afternoon I tabled a corrigendum to ensure that we could clear up any confusion. The corrigendum replaces recommendation 5 with the following words:

The Committee recommends that Section 67 of the Crimes Act 1900 be amended to include a provision which states that the fact a person does not say or communicate consent is not, of itself, regarded as consent.

I hope that that is better phrasing. I certainly spoke to committee members, and we all thought that that may help clear up any confusion. Once again I thank all committee members for their contributions to the inquiry, our committee secretary, Andrew Snedden, all secretarial staff, and everyone who submitted and gave evidence to the inquiry.

It was certainly one of the most interesting inquiries that I have been involved in, in my time in the Assembly. I know that the debate is only beginning, and we hope that the committee’s work contributes to our ongoing discussions on this important issue. I commend the report, the recommendations and the corrigendum to the Assembly.

Question resolved in the affirmative.

## **Drone delivery systems**

### **Proposed inquiry**

**MR WALL** (Brindabella) (11.42): I move:

That:

- (1) the Standing Committee on Economic Development and Tourism inquire into and report on drone delivery systems in the ACT, with particular reference to:
  - (a) the decision to base the trials of the technology in the ACT and surrounding region;
  - (b) the economic impact of drone delivery technology being tested in the ACT including the:

- (i) investment that has been brought in to the Territory;
- (ii) number of jobs that have been created as part of the trial; and
- (iii) extent of collaboration with local industry and academic institutions;
- (c) the extent of regulatory oversight of drone technology at various levels of government including but not limited to:
  - (i) local authorities such as the Environment Protection Authority, Worksafe and Access Canberra; and
  - (ii) Commonwealth agencies such as Air Services Australia and Civil Aviation Safety Authority;
- (d) the extent of any environmental impact as a result of trialling drone delivery technology on:
  - (i) residents within the trial area;
  - (ii) native wildlife; and
  - (iii) domestic animals;
- (e) ways to improve the use of drone delivery technology within the ACT;
- (f) any other relevant matter; and
- (2) the Committee report to the Assembly on the matter no later than the last sitting week in 2019.

The motion I bring forward today seeks to establish an inquiry of the economic development and tourism committee to investigate the current trial of drone delivery services occurring in the ACT.

This is a great innovation that is occurring in the ACT, and certainly an investment in a pilot project that the opposition has welcomed into the territory. It is great to see that the ACT is on the map as a destination not just for new investment but also for the trialling of new technology. I have been most excited to see that being undertaken in my electorate of Tuggeranong, which often suffers from being overlooked by particularly the CBD but also the town centres of Belconnen and Woden.

When I heard the news of the trial of a drone delivery service, the ability to order food or convenience products and have them delivered by air to your doorstep, I thought it was a very exciting concept. That said, the reality for many residents of Bonython has been vastly different. Having to live in the trial area, residents have raised significant concern around the loss of amenity that they have experienced in their suburb.

The purpose of establishing the inquiry is to provide a learning opportunity, a learning opportunity that we, as legislators and regulators, should take. This is a world first trial occurring here on our doorstep, looking at new technology. As is often the case, innovation in technology evolves at a much more rapid pace than the pace at which legislators are able to understand the pros and the cons of what is occurring. There remains a need for us to take advantage of the trial and the investments happening on our doorstep and, as a world-first jurisdiction, learn the lessons of this trial.

There have been some significant concerns raised by residents in the trial area, particularly in Bonython. That said, they are coupled with also a lot of excitement and support for the trial. About 150 households are part of the pilot trial of the delivery service. That said, there is significant concern by neighbouring residents. I have heard some very concerning stories, one of a veteran who lives in Bonython. The noise that is emitted by the delivery drones has, sadly, retriggered his PTSD. I have heard stories of families who have young kids with special needs, children who are on the spectrum, having to cope with and manage the irregularity of the flights, as some residents have put it, sometimes in excess of 50 a day. That warrants some inquiry by the committee as to the impact on amenity that has occurred.

There are also some positives that should be explored, particularly the economic benefit or impact the territory has experienced, not just from having the trial here in the territory but also from the opportunities in job creation, partnering with local industry.

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

**MR WALL:** As I was saying, there have also been some benefits of the trial to the ACT: employment, investment, and the ability for Wing, the project team, to partner with local industry and potentially local territory institutes. This is new technology, it is an emerging field, and there are great partnership opportunities there. That constitutes part of the terms of reference which I am recommending to the Assembly.

Likewise, there have been issues around who actually carries regulatory responsibility for unmanned drone flights, both in a commercial sense, as we are talking about here today, and also in the recreational sense. There has been a huge explosion in the use of drones as a recreational pursuit. I have had a constituent raise concerns that they have approached the EPA over noise issues in Bonython. The ACT EPA referred them to commonwealth agencies stating that it was to do with aviation and that the ACT has no responsibility in that space. The same constituent approached the civil air services, CASA, and were informed that it was not their responsibility, that they should best contact Airservices. Airservices took delight in referring them back to CASA.

I understand that ultimately it is the civil aviation authority that has oversight of this trial, but that has not been the experience of residents who have sought to raise concerns or who have questions around the operation or the use of commercial drone services in the ACT. There is an opportunity for an Assembly committee to inquire into that, to get a greater understanding of the issues both at the commonwealth level and particularly at the local level, especially around the involvement of the Environment Protection Agency; WorkSafe, who I think should have some responsibility in this space, and Access Canberra, the catch-all for government contact with the community.

I note that a couple of amendments are to be moved to my motion. I will just touch on the reasoning for the time line that is stipulated in this inquiry. Compared to many of the inquiries referred to standing committees by the Assembly, it is very long. The reason for that is that, in consultation with the chair of that committee, I have been informed of, and the Assembly will be well aware of, the workload that exists on that committee. The current inquiry that is underway into building standards is an important and very substantive body of work. The reason for a 12-month window for the inquiry is to allow that important work of that committee to continue.

Also, it would allow that committee to initiate, I envisage, the call for submissions with a significant window for public submissions. Once the building work inquiry concludes or is getting towards its tail end, there will be an opportunity for this inquiry to be picked up. It is not envisaged that this would supersede any work currently underway inside the economic development and tourism committee.

I will conclude my remarks there. I commend this motion to the Assembly. This is an opportunity for us to be at the cutting edge of technology, looking into the benefits it brings to the community and also to our economy but measuring the balance of a resident's rights and need to have a safe and habitable home in our suburbs.

**MS ORR** (Yerrabi) (11.50), by leave: I move:

- (1) In paragraph (1), omit "inquire", substitute "consider an inquiry".
- (2) Omit paragraph (2).

I want to say how disappointed I am with those opposite and those on the crossbench today. Moving this motion with a fixed deadline impacts and potentially stalls a very important inquiry already underway.

The Standing Committee on Economic Development and Tourism is currently inquiring into building quality in the ACT. Hundreds of people in Gungahlin have told me about serious issues they have experienced with building quality in their homes. I spoke to one couple who were living with their adult children while their new apartment was being rectified. Upon inspection, the apartment was riddled with defects, one so bad that you could push one of the internal walls and it would move.

I know this is a serious problem because I went out to the community and I spoke with them. I doorknocked; I held street stalls; I ran an online survey. I spoke to over a hundred people who all had a story to tell me. Off the back of this clear need in our community, I have been calling for and progressing a committee inquiry into building quality.

The inquiry offers the chance for this Assembly to develop and implement meaningful reform. Today the Greens and the Canberra Liberals have effectively impacted and potentially stalled this important work aiming to help people not just in my electorate but all over Canberra.

Despite a reporting day in 2019, the work the committee can manage is finite. In meeting the time frame for the drone inquiry, the inquiry into building quality would likely be delayed so that we could still meet our responsibilities of inquiring into annual reports and also the drone inquiry, noting that we have already had to delay our focus on building quality to undertake the inquiry into the jobs procurement bill. Alternatively, if we push ahead with the building quality inquiry, the drones inquiry will be rushed in order to meet the deadline and balance our existing workload.

We can see the impact building quality is having on the lives of Canberrans from the submissions that are coming in. One group of residents is faced with having to pay \$85,000 out of their own pocket to rectify building defects in the development they purchased. The example illustrates the clear need for this Assembly to undertake a thorough examination of the industry and how it is regulated.

Procedurally, I have to ask how the Greens, of all people, can support this motion. When a motion on building quality was moved by Mr Parton earlier this year, I sought the Greens' support to amend the motion and have the Assembly refer the subject to the EDT committee for inquiry. The Greens indicated that they would not support my proposed referral. They felt that it was inappropriate for the Assembly to interfere with committee work. Instead, the motion was amended to strongly encourage the EDT committee to inquire into it.

Mr Rattenbury has said in this Assembly:

... I reiterate my comments ... today that the Greens' view is that in making referrals to committees ... it is best for the committee ... to perhaps meet and discuss the likely referrals and to actually work collaboratively together to agree on a work program.

He then said that the motion that was being debated was made "even worse in that the committee has not discussed this possible referral and this matter has not been canvassed with ... committee colleagues". I question why what was inappropriate then is now completely fine.

I also put forward that there is scope for balance here. We have had over 100 responses to the survey I ran on building quality. To date, we have received 39 submissions accepted by the committee, with more awaiting consideration. By all indications, the building quality inquiry will be a significant piece of work. That is why I am moving the amendment circulated in my name. The amendment I have moved gives the economic development and tourism committee the ability to consider drone delivery technology once the building quality inquiry has concluded in a time frame that is not rushed and allows all matters to be considered adequately. I look forward to working with my committee colleagues as we consider both issues and prioritise the workload of the committee so we that can deliver meaningful insight into the topics of inquiry.

**MR RATTENBURY** (Kurrajong) (11.54): Drone technology has been evolving rapidly. Its applications have been expanded and we are now at the point where we

have drone deliveries occurring here in Canberra. There are many interesting issues to examine in this arena. These include how drones may impact on local amenity, which is an issue that some Bonython residents have been raising in relation to the current trial. Other interesting issues include regulatory issues, privacy concerns, issues about privatisation of public space, environmental issues and safety issues.

I agree that this is a good issue for a committee to examine, to hear from all the different stakeholders, to talk about whether existing regulations are sufficient, to make sure that drone issues are dealt with sensibly at the same time as we take advantage of the possible advantages that the new technologies offer. Certainly, they have been noted by some in the context of the current trial in the ACT.

It is timely to look at this issue now because the current drone trial has uncovered some concerns in the local community. But these issues have been coming for many years and they will continue to evolve in coming years as this technology becomes more available, as more people are accessing it and the like.

Properly examining the issues related to drones will hopefully ensure that we are prepared and ready for some of these emerging issues. Of course, in the innovation space we are often behind as legislators, necessarily so, I think, because of the way people just develop things and start trialling. But we should not allow ourselves to get further behind on this one.

I have circulated an amendment. Procedurally, I cannot move it now, but I will speak to it to give the debate some context. I will seek leave shortly to move it once we have dealt with Ms Orr's amendment. The amendment I have proposed asks the committee to look also at the potential impact of drones on greenhouse gas emissions in the paragraph dealing with environmental considerations.

Drone technology has potential applications that can help the territory to reduce its greenhouse gas emissions and to achieve our climate targets. One obvious way they can do this is by displacing trips by private motor vehicles or by delivery trucks. At the moment, delivery trucks tend to use diesel fuel and most private motor vehicles use petrol or diesel. If drones used in the ACT are electric—so far they are with the technology that is around—and if they are charged in the territory, which one expects they would be, they will be charged by 100 per cent renewable electricity by 2020 and they could be an emissions-free transport technology.

Researchers are already looking closely at this issue. To quote one environmental scientist researching this issue at the Lawrence Livermore National Laboratory in California, drones can make a significant impact on emissions, especially now that transport is the biggest polluting sector out there. That last mile of getting goods to a destination is a big part of the emissions picture. There are plenty of plausible scenarios where drones can do environmental good. Their research shows that drone delivery can be significantly better for the environment, even taking into account the environmental impacts from constructing the drone batteries.

Here in the ACT, transport is the next big challenge for greenhouse gas emissions reduction. It is difficult to displace car trips. We are making efforts to increase the

amount that people walk, cycle or use public transport, but we are still a car dominated city. Studies show that a large portion of car trips are for journeys of three kilometres or less. Plenty of these trips are to make a purchase at the local shops, for example. Ideally, more people would walk or cycle for those journeys. They are three kilometres or less.

But that will not work for everybody and even for people it can work for, it will not work all of the time. If some of those trips could be replaced with an electric drone trip, it would be a good outcome for the environment. Similarly, if certain deliveries can be made by electric drones rather than diesel powered trucks, that will also benefit our environment.

The second part of my amendment relates to privacy issues. It asks the committee to consider them. People are becoming more and more concerned about the safety of their personal data, particularly in this new age of information technology where enormous global companies that are able to aggregate data across a wide range of platforms are increasingly doing so. One of the questions people have in relation to drones concerns their ability to record visual data. People want to understand what happens to this visual data, whether it is stored and, if so, where, and how it is used.

The other issue I want to mention in relation to drones is that there are emerging issues not just in their use for commercial deliveries. There are also interesting questions to explore related to their private use, their use in a surveillance capacity, including in relation to crimes of stalking and harassment, and other family violence situations.

I think there is interesting and relevant work we could do in this area to produce best practice modernised civil surveillance legislation and potentially update our crimes, courts and evidence legislation taking account of new developments and technologies such as drones. I think this is a vast and interesting area generally around the use of technology in these spaces. But, given the particular trial we have seen here in the ACT, I think it is the right time to reflect on these issues.

I note the comments that Mr Orr has made, and the discussions that have taken place in recent days, in preparation for this motion. Certainly, I have expressly sought advice from the Clerk around the issue of Assembly referrals versus self-referrals by the committee. I have received advice that there is no precedent that should the Assembly seek a committee to look into a matter, that that issue should take precedence over a self-referred matter of a committee. That had been a discussion this week.

My advice is that there is no such requirement in the standing orders, nor is there precedent for that. It may have been, perhaps, a cultural norm or an urban—I do not want to say “myth” because I do not mean to be derogatory. However, if that is something people have a sense of, my clear advice is that that is not the case.

Clearly, the building quality work is very important. I completely agree with the points that Ms Orr made in her remarks. We note that this has been a concern of the community for some time. I urge the committee to continue to do that work. But I

think that in having a second referral—one that has a reporting date more than 12 months from now—the committee can manage their workload. I think that that should be fine. Obviously, they will have other matters come up as well, but this is a job for the committee. If, by next November, they think they cannot do this, then they should come back to the Assembly and seek an extension.

I also will reflect on the remarks that Ms Orr made in quoting me. Yes, I made those remarks. I made them in a particular context. They were made in either November or December 2016. It was when this Assembly had just convened after the election. We saw a swathe of potential inquiries brought forward to direct the committees to start with. I had a view at that time. Ms Orr quoted me. I am happy to own my comments here again today. But the committees had not even actually met at that point. Most of the committees had just been established in this place. They had had no meetings whatsoever.

I put a particular view that I felt that it was inappropriate for the Assembly at that time to direct the committees before they had even had a chance to get together and probably even introduce themselves to each other, possibly for the first time. That was the context. I think it is a different context. I am happy to be explicit about saying that I believe there is a different context now.

On that basis, the Greens will support this amendment today. We will not be supporting the amendment moved by Ms Orr, because that will ask the committee to think about it. I think it is appropriate for this Assembly to discuss these matters and make referrals. As I flagged, I will shortly seek leave to move the amendment that I have circulated.

**MR PARTON** (Brindabella) (12.03): There should be a committee inquiry into drone delivery and it should be reporting by the end of 2019. I live in Bonython, the only suburb in the world undergoing a full commercial drone delivery trial, which I think is pretty cool. I signed up to the trial, so I think I would be the only member who has had burritos delivered by drone to my house. This trial could well shape the future of commercial drone delivery around the world, and I do not think that we can understate that importance. I was absolutely tickled pink that it was happening in my suburb.

As a local member of parliament I took it upon myself to get fully across the trial, so that is why I signed up. A few months ago with the app on my phone I ordered four Guzman y Gomez burritos, and they arrived less than 10 minutes after I hit send on the order. I was blown away.

What is going on here is potentially amazing. When the trial was first announced there were a number of dissenting voices in my local community. These people were against the concept of drone delivery mainly for privacy and safety reasons. I suggested that they should wait and see how it affected them once it was in operation. I had this belief that their opposition would dissipate once we had drones in the air, but I was wrong.

Once the trial commenced those against it grew in number and their voices certainly grew in volume. They appealed to me to oppose it in whatever way I could. I had



some passionate conversations—I might actually refer to them as stand-up arguments—in shopping centres and online because I would not back away from supporting the trial.

The noise-sensitive people of Bonython were not too pleased with me. They still invited me to join their Bonython against drones Facebook group, which I did, and I began to get a sense of the level of frustration in my own community. I did a full day's doorknocking in Bonython last week and was further surprised at the level of community objection.

Granted, when you do a doorknocking survey, it is an unscientific sample, and it is a small sample, but I found many more antis than I had anticipated. My raw data had six residents strongly in favour of the trial, eight with weak support, four who were indifferent, six who were weakly opposed, and 22 who were strongly opposed. Of those 22 some of them were vehemently opposed. That random doorknock survey straddled all demographics.

Interestingly, I knocked on the door of a townhouse down by Stranger Pond. When the residents came to the door and I explained the questions on the drone trial, they did not know there was a drone trial. I had to explain to them that there were drones delivering things in their suburb and that it was happening Thursday to Friday and where they were flying from. They had no idea it was on. In the very next townhouse the residents were of the belief that the drone trial pretty much had ended the world as they knew it and that it was impossible for them to continue to live in Bonython. I guess everyone's personal threshold is different. Project Wing drones sound like a cross between an intense bee swarm and a distant formula 1 grand prix race, and right underneath they are pretty loud.

Please understand that as a resident of Bonython and a supporter of business and innovation I do not personally have any qualms whatsoever with the drone delivery trial. I hear the drones flying every week. There are multiple deliveries to my street; I can hear them from my house but it does not faze me one iota. But the level of community concern about this trial is an issue. It is not just about the noise; as Mr Wall said, it is about the regulations around this innovation. It is about innovation getting potentially ahead of laws and regulations.

I fully support my colleague's push for a committee inquiry into drone delivery systems in the ACT. We need to understand the extent of regulatory oversight and the extent of impact on residents, native animals and domestic animals. I strongly recommend that that inquiry happens as outlined in Mr Wall's motion. The reporting date of that to be more than a year from today I think is quite sufficient.

**MR PETTERSSON (Yerrabi) (12.08):** It is a great pleasure to speak to this today. I want to address first and foremost the fact that this is not a debate about drones. Many members in this place have spoken about drones being the way of the future. I agree: drones are the way of the future. They are exciting, innovative pieces of technology. But this is not a debate about drones; this is a debate about process. We are being asked to consider whether an inquiry is referred to a committee. We are not here to discuss whether Mr Parton likes his burritos. I also like my burritos.

**Mr Parton:** We've got a lot in common.

**MR PETTERSSON:** More than you know, my friend. Drones are interesting, and I think many members of this chamber would appreciate the opportunity to inquire into drones. But you have not asked the committees of this place whether they want to inquire into drones. For example, instead of EDT looking into this inquiry, there could be a select committee. Mr Rattenbury has outlined in many different ways the environmental impact of this drone trial, and so it could be considered by the environment committee. But no, that is not what this discussion is. This is a motion to ram through an inquiry to EDT, and it is not something I can support.

One of the things I find particularly strange about this debate is the change in stance by the Greens. The Greens often put themselves in this place as the arbiter between the two evils of the Labor and Liberal parties but on this debate I feel like the Greens have got it wrong. When we first came into this place, the Greens said this chamber should not be referring inquiries to committees.

Mr Rattenbury has said—and I somewhat understand his reasoning—that at that time the committees had not met and so it should be up to the committees to meet and decide what they want their workload to be and what they want to inquire into. Instead, however, this is the standard that has persisted. That is not the standard that was applicable only at the start of the term; that is the standard that we have applied up until this exact point. So I really wonder what it is about this that has caused the Greens to change their position.

Drones are exciting; I think we all agree with this. Even the people putting forward this inquiry have said they support drones, they support this technology, but there are concerns in the community that need to be aired. So why is it that for a topic as exciting as this we are prepared to bend the standard? There are plenty of other exciting inquiry topics where we could be doing the exact same thing but we are not.

The other thing I want to talk about is the standard we set. If this is what will occur to EDT my warning to all members and committee chairs in this place is that the wishes of your committee members and your committee will not be respected by this place. On some levels, I understand that. When legislation is referred to a committee, I understand that is pressing and needs to be addressed and the individual wishes of the committee should not be considered. However, when it comes to referring an inquiry, is it too much to ask that we talk to the committee first?

I note that this has been brought forward by Mr Wall. I appreciate Mr Wall's enthusiasm for drones but he is not a member of EDT. One of the constraints of this place is that we all have limited time and we cannot sit on every single committee. Mr Wall has a companion and a colleague who sits on that committee. He could have mentioned to his colleague Mr Hanson that he is interested in this topic and that he thinks that there is benefit to the community in this inquiry being instigated. But he has not done that. It is offensive to me as a member of EDT to come into this place to discover what I potentially will be inquiring into.

I conclude by saying that drones are the technology of the future and I am excited for the day that I can also get a burrito delivered to my house like Mr Parton. But this is not a debate about drones. We are all in agreement that drones are the future of technology in this place; they are the future of commerce, delivery and transport. But this is about parliamentary process, and that parliamentary process is being stomped all over and I do not understand why.

**MS CHEYNE** (Ginninderra) (12.13): I welcome an inquiry into drone technology, and I know Project Wing has stated at least twice if not publicly that they would welcome an inquiry. While I have not had the fortune of getting my burrito delivered fresh and hot like Mr Parton has, drone technology is clearly very exciting. The ACT is well known as being a great place to trial things, and I think it is very good that the trial is underway. I have been watching it with interest, and I have watched Mr Parton's video at least once—but perhaps a few more times. I note that Mr Parton and I celebrated six years as Facebook friends this week.

*Members interjecting—*

**MS CHEYNE:** They have certainly raised other issues, and while there are some very active members of the south side—the deep south community—who have concerns, I note that concerns have also been raised with me by people who have not been affected but are wondering about what drone technology means for them. Drone technology looks like it could mean some pretty amazing things, not just hot food delivered quickly and cheaply but also perhaps medical advancements.

While drones look cool, they certainly seem to be very noisy and I can appreciate why there is some angst in the community. Madam Speaker has spoken with me before about the representations she has received in the community, and she supports an inquiry as well.

However, like my colleagues on this side, I question how this has come about and I echo the comments of Ms Orr and Mr Pettersson that the Canberra Liberals and the Greens have some form in this place. I have read the *Hansard* transcript from that time—

*The extended time allotted to Assembly business having expired—*

### **Standing orders—suspension**

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

That so much of the standing orders be suspended as would prevent the Assembly concluding debate on Assembly business, Notices Nos 1 and 2.

**MS CHEYNE:** I have read the *Hansard* transcript and I appreciate the context in which Minister Rattenbury was saying things at the time, but I also believe that Mr Pettersson is right; it is about the principle of the thing. I note that Mr Coe at the time said that he believed committees should be afforded a degree of autonomy in

deciding their work program. We have had members opposite, including the chair of PAC who has made this clear on a number of occasions, including in this chamber, noting that the workload of committees can be quite significant. Now as a member of PAC—

**Mrs Dunne:** Welcome to the real world.

**MS CHEYNE:** At one point I was on more committees than anybody else; so I have certainly been in that real world, thanks very much.

**Mr Parton:** Gathering all those portfolios as well? We have all got work to do.

**MS CHEYNE:** Do you want to say that again?

**Mr Parton:** We have all got work.

**MS CHEYNE:** We have all got work—

**MADAM ASSISTANT SPEAKER** (Ms Lee): Ms Cheyne, you have limited time; just continue.

**MS CHEYNE:** Thank you, Madam Assistant Speaker. I would appreciate it if you made those comments to members on your own side as well. I think that it should be up to committees to decide their workload. I also echo Mr Pettersson. I do not understand why Mr Wall could not have had a quiet word to the chair of that committee. I do not think anyone is saying that we should not be necessarily inquiring into it, but I think that there is very important work underway in EDT at the moment on building quality.

It is something that we have discussed in other committees, like the planning committee. I think all members in this place have received representations on building quality. I would be very disappointed if work were distracted for that reason. I certainly support Ms Orr's amendment. I thank my colleagues for really putting out the issues with the approach that has been taken today.

**Ms Orr's** amendments negatived.

**MR RATTENBURY** (Kurrajong) (12:18): I seek leave to speak again.

Leave granted.

**MR RATTENBURY:** Thank you, colleagues. I seek leave to move the two amendments circulated in my name together.

Leave granted.

**MR RATTENBURY:** I have spoken to both of these amendments. I make the observation, as we have discussed this morning, about their appropriateness. A little while ago the Assembly directed the administration and procedure committee to

undertake an inquiry that is due in four weeks time. In fact, it was brought on to the program so late that it was not even discussed at admin and procedure this Monday just gone. It got listed afterwards. We suspended standing orders to bring it on.

That is fine, and I think it is worthwhile doing, but let us not get too caught in the process and reflect that we try to accommodate a range of things that we need to. In terms of the two amendments I have brought forward, I spoke to them earlier. I think that they add a bit of extra dimension. These committee references usually have the words “any other matter” in them. But I think it is worth drawing out these two matters explicitly. I move the amendments circulated in my name:

(1) Insert new paragraph (1)(d)(iv):

“(iv) greenhouse gas emissions;”.

(2) Insert new paragraph (1)(g):

“(g) information privacy;”.

**Mr Rattenbury’s** amendments agreed to.

Original question, as amended, resolved in the affirmative.

## **Cloud storage of Assembly documents**

**MS J BURCH** (Brindabella) (12.21): I move:

That the following continuing resolution be adopted:

### **AUTHORITY FOR LEGISLATIVE ASSEMBLY INFORMATION TO BE MIGRATED TO, AND STORED AND PROCESSED BY, A CLOUD SERVICE PROVIDER**

That:

- (1) The Assembly authorises its information, including information captured by standing order 277(p), to be migrated to, and stored and processed by, a cloud service provider (provider), on the following provisos:
  - (a) a contract has been entered into between the Territory and the provider ensuring any access to the Assembly’s information is limited to the sole purpose of providing the service. This should include ensuring any subcontractors engaged by the provider are subject to the same terms and conditions as the provider;
  - (b) the provider has been certified by the Australian Signals Directorate as suitable for the hosting of data up to the classification of PROTECTED and hosts all ACT Government data in Australia; and
  - (c) a security risk assessment has been conducted by the Territory to identify relevant security controls to be applied.
- (2) In relation to lawful requests for disclosure by the provider of the Assembly’s information—
  - (a) the Clerk will be notified by the Territory’s information and communications technology agency (the agency) of any warrant or

- subpoena received by the provider or the agency unless legally prohibited from doing so;
- (b) the agency will request the Clerk to authorise any lawful release of Assembly information unless legally prohibited from doing so;
  - (c) the Clerk will be notified by the agency of any suspected or actual unauthorised access or disclosure of Assembly information managed by the provider or the agency; and
  - (d) the Clerk will be notified by the agency of any significant changes to the Assembly's data storage, including hosting arrangements.
- (3) This resolution has effect from the date of its passage in the Assembly and continues in force unless and until amended or repealed by this or a subsequent Assembly.

This matter has been discussed with the admin and procedure committee. It is as a result of changed arrangements about how Assembly data is stored and following a move across of whole-of-government data into the cloud. The Assembly data will also now move. Members need to be assured that the privileges and protections that our data had in the previous location will be maintained. This continuing resolution just sets out those assurances and processes about access to that data. I commend the continuing resolution to members.

Question resolved in the affirmative.

## **Standing committees**

### **Membership**

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

That:

- (1) Mr Wall be discharged from the Standing Committee on Education, Employment and Youth Affairs and Ms Lee be appointed in his place; and
- (2) Ms Lee be discharged from the Standing Committee on Justice and Community Safety and Mrs Jones be appointed in her place.

**Sitting suspended from 12.23 to 2.30 pm.**

## **Questions without notice**

### **Taxation—rates**

**MR COE:** My question is for the Treasurer and Chief Minister. Chief Minister, is it your position that the government will continue to use average unimproved land values as the determinant for the rates rather than the market value of properties?

**MR BARR:** The government has no plans to change the system but we are, of course, undertaking several reviews in relation to the next tranche of tax reform. We have looked at alternative systems. Any change would be very costly and very disruptive

and would undoubtedly throw up a range of anomalies most likely even greater than the small number of concerns that have been expressed to date.

I see no reason to change the system. There has not been a compelling argument made that the system should be changed. Were such a compelling argument to be made, I would consider it and the government would consider it, but it would not be something that would be introduced overnight and I would imagine that such a change, which I am not contemplating, would need to be phased in over an extended period of time.

**MR COE:** Chief Minister, can you rule out using the market value of properties as the determinant for rates in this term of the Assembly?

**MR BARR:** Most definitely, yes.

**MR WALL:** Treasurer, has Minister Rattenbury ever raised concerns about the fairness of the system for determining rates while participating in the development of the budget or other policy?

**MR BARR:** I would not disclose the content of cabinet discussions and deliberations. But Mr Wall would be aware that the Greens party has released a discussion paper that would indicate a willingness from the Greens party to consider alternative approaches. But, as I understand it, it is purely a discussion paper. It does not yet form the considered view of the Greens party.

I am not a spokesperson for the Greens party. I will not ever be a spokesperson for the Greens party. Nevertheless, it is within their rights to discuss an issue. But I think that there are powerful arguments for the average unimproved value, the AUV, system that we have, with a rolling three-year average. Those who wish to change the system would need to mount a very persuasive argument and undoubtedly would need to go through the many different hurdles of forming committees, modelling, doing the whole song and dance that is necessary to change anything in this country at this point in our nation's history.

### **Domestic and family violence—digital technology**

**MS LE COUTEUR:** My question is to the Attorney-General. Attorney-General, recent public commentary by police and domestic violence workers has been that domestic violence victims are increasingly being stalked, harassed and targeted by high-tech devices, including, but not limited to, surveillance devices, apps, drones and other digital technology, and there is concern that laws are not keeping pace with digital developments. Attorney, are you aware of these issues, and what work is being done to close any gaps in the law to ensure that women and others are protected from this emerging form of harassment?

**MS BERRY:** Madam Speaker, I might take that question, as the Minister for the Prevention of Domestic and Family Violence. Yes, all of the issues that Ms Le Couteur raises are concerns, regarding the different ways that people are being affected by domestic and family violence and sexual assaults in our community. As

we know, it is a very complicated and complex issue. My office, the Coordinator-General for Family Safety and the Attorney-General work very closely together in our attempts to address all of the concerns that are raised by the community, and as we look at how, as our community changes and evolves, we address different circumstances where people might be affected by domestic and family violence.

With regard to the particular issues and changes to law, I am not aware of any details about specific changes to law at this point. However, those situations that Ms Le Couteur has referred to are, of course, points of discussion regarding the work that the coordinator-general has done with the co-design of the family safety hub. That work will continue, having regard to how we address this very important and complex issue.

**MS LE COUTEUR:** Can you provide an update on the review of civil surveillance legislation which the government commenced in 2016? When will it be completed?

**MR RAMSAY:** I thank Ms Le Couteur for the question. The matter is ongoing. I will be able to provide further details to the Assembly in due course.

### **Education—literacy and numeracy**

**MS LEE:** My question is to the minister for education: a few weeks ago it was discovered that you had misinterpreted the findings of a report by Professor Stephen Lamb which formed the basis of your future of education strategy, and Professor Lamb was forced to publicly correct you. An ANU working paper provided to the Education Directorate that demonstrated through statistical analysis that ACT school results were declining has been ignored for two years. During that time you have consistently claimed that ACT schools are excelling. Then the Grattan Institute found that the ACT is the worst performing state or territory when it comes to literacy and numeracy at both primary and secondary school levels. Minister, what are you doing to improve literacy and numeracy in our schools?

**MS BERRY:** The ACT government is doing a whole lot in our schools to address literacy and numeracy but is also taking a holistic approach to what happens in our school communities rather than just a point-in-time examination around a couple of details that are reported in the NAPLAN test and the circus that occurs around that each year. Ms Lee will know that the ACT is leading a review on how that data is used and whether it is benefiting our students' learning or, to the contrary, causing them harm. My view has always been if that is causing them harm then we need to change it.

With regards to work that is happening across our system, the ACT government has made significant announcements, particularly through the development of a strategy—the future of education—which I have launched. It provides a road map for education over the next 10 years. That work will also consider the conversations that we have had over the development of the strategy—over 5,000 conversations—particularly with students, ensuring that students are at the centre of the future of education conversation.



Literacy and numeracy in our schools are important. One of the particular issues that the ACT government through the Education Directorate has implemented in our schools is a program with the expert advice, work and knowledge of Christine Topfer, a literacy expert from Tasmania. She has been working across our schools to embed literacy in different kinds of ways in our schools and also providing numeracy as leaders projects for our school principals. The majority of our school principals have now been through—*(Time expired.)*

**MS LEE:** Minister, what is that program that you are developing with Christine Topfer, and how will you measure the success of your initiatives to improve literacy and numeracy in our schools?

**MS BERRY:** I can provide some more detail on the work that is being done with Christine Topfer. Christine Topfer is well known for her work in schools and improving literacy outcomes in schools. Certainly, from a quality perspective, when I have visited schools that have implemented programs through the work of people who use the programs that Christine Topfer has recommended, their PIPS results have improved by up to 300 per cent. A good example of that work was at Kingsford Smith School. Kingsford Smith School was discussed during estimates hearings recently. I can refer Ms Lee to the discussion that was conducted there around the results at Kingsford Smith School and the particular program that has been implemented there.

**MR PARTON:** Minister, why are our students performing worse now than they were 15 years ago, given the five reports that prove this to be the case?

**MS BERRY:** Our schools have always been the highest performing schools in the country and it is the case that now other schools in the country have been catching up to the high-performing schools that exist here in the ACT. Madam Speaker, I—and I know you did when you were education minister as well—celebrate the success and the holistic approach that our schools take to education in the ACT.

### **ACTION bus service—school services**

**MS LAWDER:** My question is to the Minister for Transport. Minister, with a backdrop of reports of men approaching students at and near schools over a period of months, if students have to use the normal bus network and regular buses rather than dedicated school buses, what confidence can parents have that children will be safe using buses to and from school?

**MS FITZHARRIS:** I will ignore the dog whistle that is evident in Mrs Lawder's question and remind her that those approaches—and I congratulate ACT Policing on the formation of their task force on this—which have very swiftly been responded to, are happening now, when there are dedicated school buses. And next year there will also be dedicated school buses. I know that families in our community, including many of us here, have young children and older children travelling to and from school every day. I utterly reject the pretty grubby dog whistle in Mrs Lawder's question.

**Ms Lawder:** Ms Lawder, thank you.

**MS FITZHARRIS:** My apologies; Ms Lawder's question.

**MS LAWDER:** Minister, will students as young as five years old be left unsupervised on buses using your new bus network?

**MS FITZHARRIS:** Students will use the new bus network as they use the existing bus network today.

*Mrs Jones interjecting—*

**MADAM SPEAKER:** Mrs Jones, please!

*Mrs Jones interjecting—*

**MADAM SPEAKER:** Mrs Jones, enough! Miss Candice Burch.

**MISS C BURCH:** Minister, how long on average will children spend at bus interchanges under your new bus network?

**MS FITZHARRIS:** Probably about the same time as they do now. There will be those who want to spend even more time, and there will be those who want to spend less time.

*Opposition members interjecting—*

**MADAM SPEAKER:** Members, please! You asked the question; hear the answer.

**MS FITZHARRIS:** I think the Canberra Liberals are really showing their true colours in these questions, Madam Speaker.

*Mrs Jones interjecting—*

**MADAM SPEAKER:** Mrs Jones, you have only been back for a few days. I have had to call—

*Opposition members interjecting—*

**MADAM SPEAKER:** Members, please. Mrs Jones, you are very close to being warned. Welcome back, but please don't interject.

### **Health—cancer research**

**MS CODY:** My question is to the minister for health and medical research. Minister, can you please update the Assembly on the memorandum of understanding recently signed between the ACT government, the Australian National University and the Peter MacCallum Cancer Centre.

**MS FITZHARRIS:** I thank Ms Cody very much for the question. The national focus of medical and health research is centred on collaboration to accelerate discoveries in medicine and health through the efficient sharing of ideas and resources. The MOU signed between the ACT government, the ANU and the world-renowned Peter MacCallum Cancer Centre facilitates such collaboration with these outstanding, internationally recognised research organisations. The MOU provides an exciting vehicle for the ACT to further develop research, academic and clinical excellence; innovation around improving cancer patients' experiences; and strong partnerships with other jurisdictions.

The ACT is fast becoming a key player in medical and health research, and this status will help to attract and retain highly regarded clinicians and scientists to the ACT and increase the potential for significant new grant funding and investment in infrastructure. The opportunity provided by the MOU gives confidence to investors that government can provide such support to the research sector and hope to those receiving treatment and care that new, effective treatments are being developed right here in Canberra.

The MOU opens up other opportunities to work with the University of Canberra, the University of Wollongong and other jurisdictions to implement a truly regional approach to medical and health research in the Canberra region.

**MS CODY:** Minister, how will the MOU enhance diagnostic genomics research and treatment in the ACT?

**MS FITZHARRIS:** The ACT, through a \$7 million 2016 budget initiative, has established Canberra Clinical Genomics as a research, diagnosis and treatment platform for diseases associated with germline mutations, more commonly known as inherited diseases. The Peter MacCallum Cancer Centre has a pipeline in place for clinical-grade cancer genomics research.

The MOU provides the opportunity for the ACT to benefit in terms of the cancer genomics resources offered by Peter MacCallum to Canberra Cancer Services and the ANU, and the expertise, skills, facilities and technology that will be established here within the ACT Canberra Clinical Genomics Centre to support local targeted precision cancer medicine, research and treatment.

Canberra Clinical Genomics was established through an ACT budget initiative and draws on the infrastructure and bioinformatics expertise established at the ANU at the Centre for Personalised Immunology. The sequencing service established through Canberra Clinical Genomics has been implemented in parallel with a medical genomics clinic at the Canberra Hospital.

Canberra Clinical Genomics provides Canberrans with access to leading edge diagnostics and more than 150 patients have been sequenced, providing new diagnoses for patients and their families. Through the MOU with the Peter MacCallum Cancer Centre, we are enhancing this research and treatment that will lead to longer life and better quality of life for cancer patients in the ACT, typically where standard treatments have not been successful.

This is an amazing outcome for the local medical and health research sector, our clinicians in ACT Health and academic partners here in the ACT and in Victoria. The focus on genomics research in the treatment of patients will significantly strengthen the ACT's position amongst other jurisdictions, especially as this type of precision medicine research becomes more mainstream in treating illness, including cancer.

**MR PETTERSSON:** Minister, what are the government's priorities for the Medical and Health Research portfolio?

**MS FITZHARRIS:** I was very pleased to add this portfolio to my responsibilities earlier this year. The government next month is convening the ACT Health summit on research teaching and training to determine the vision for the future of medical and health research in the ACT. It is anticipated that initiatives involving the ACT's proximity to New South Wales will play a role in defining the scope of some of the research priorities and partnerships.

The ANU and the University of Canberra will be the top priorities in terms of academic partners in the medical and health research space for the ACT. Primary healthcare partners, other tertiary institutions, consumer groups and other care providers will also be important partners. Research quality and capacity is a key focus. Initiatives in this area will take shape over the next few months that will significantly enhance the research methods and data analytic capabilities associated with our research discovery and translation endeavours. The ANU and the University of Canberra are involved with the office of research and ACT Health to make data science a centrepiece of health and medical research in the future.

The government is getting on with the job of providing safe, timely and sustainable health care when and where Canberrans need it. We are complementing this in the ACT's health system by taking steps to make the ACT a national and world leader in medical and health research. I look forward to updating the Assembly on the outcomes of the summit as soon as possible.

### **Light rail—drivers**

**MISS C BURCH:** My question is to the Minister for Transport. Minister, what is the total number of light rail drivers that will be employed by Canberra Metro and how many have already commenced employment?

**MS FITZHARRIS:** I thank Miss Burch for the question. I understand it is in the 30s and I understand that they have all been employed. Of course Canberra Metro will continue to seek light rail drivers over the course of the project but I will check the numbers and take that question on notice.

**MISS C BURCH:** Minister, on what date did wages and salary payments to those light rail drivers commence?

**MS FITZHARRIS:** I presume when they were employed, but I will take that question on notice.

**MRS DUNNE:** Minister, what is the weekly wage bill for light rail drivers for every week of delay in the commencement of operations of light rail?

**MS FITZHARRIS:** I will not take that question on notice because, as the opposition well knows, or should by now, Canberra Metro is providing not only the construction of light rail but also the operations and maintenance of the light rail project over a 20-year period, so it will be within the scope of the agreement that the ACT government has with Canberra Metro. Of course, I am happy to update the opposition once again on the procurement method we used for this project. One of the features of that procurement method was that any particular delays in the project will be at the risk and the cost of Canberra Metro, not the ACT taxpayer.

### **Gungahlin—light rail impact**

**MR MILLIGAN:** My question is to the Minister for Transport. On 20 September you tabled the business impact assessment of ACT government-led construction activities in Gungahlin. Whilst I was very pleased to see that the government responded to community calls for a review and my motion to independently audit the impact on business, I wonder now what the government plans to do with this document. Can you explain what the government will do with the lessons learnt identified in this report?

**MS FITZHARRIS:** I thank Mr Milligan for the question. The lessons learnt were both for the current project and also for future projects. We certainly will be taking on board those lessons around how to improve collaboration with businesses, noting that there was extensive collaboration and engagement with businesses around the light rail project, and the importance of coordinating ACT government and other private sector construction activities in a particular precinct which may be impacting on businesses, and making sure there is improved coordination. There were matters such as providing information for businesses whose owners do not have English as a first language.

All those lessons will be learnt, and I thank the Canberra Business Chamber and the light rail business link project for the work they did on the impact study. We have used some of those lessons for further work on the light rail construction project as it has impacted the rest of the corridor and we certainly look forward to using those lessons for the construction of stage 2 of light rail to Woden.

**MR MILLIGAN:** Minister what does this mean for the businesses impacted by light rail during stage 1?

**MS FITZHARRIS:** It means that we will continue to work very closely through Transport Canberra, Canberra Metro and other ACT government directorates on the construction of light rail. But certainly it was the case that a couple of weeks ago we looked to have a celebration with Gungahlin businesses for not only the completion of construction of light rail stage 1 on the northern end of Hibberson Street but also the opening of what is now the fantastic Hibberson Street shared zone and the Gungahlin bus station. All this goes to the significant investment that the ACT government is making in infrastructure in this city.

There has been enormous investment in infrastructure in the Gungahlin town centre and I think that anyone who visits there today can see the incredible benefit that it has brought to the Gungahlin town centre. We are only just at the beginning of not only residents but also local businesses fully realising the enormous benefit that will come to them from the ACT government's investment in the town centre.

**MR COE:** Minister, should people and business owners in Gungahlin have any hope at all that this government will provide any tangible support to them to help them to recoup the business losses and personal debt that they have racked up over the past 18 months as a result of light rail?

**MS FITZHARRIS:** I refer Mr Coe to my previous answer, but I am happy to reiterate that I think businesses are already seeing, and the community is already seeing, the benefits that will come from having enormous activity right outside their front door as a result of the single biggest infrastructure investment in this city's history: the building of light rail from Gungahlin to Civic.

I certainly acknowledge that a number of those businesses struggled over the period of construction but, in speaking with many of them, they also knew that the benefits would come. As Mr Milligan indicated, we did do a business impact study. We will learn lessons from that, as governments and businesses around the country and around the world realise that when public infrastructure is built, it delivers public benefit and benefit to business.

**Mr Coe:** A point of order.

**MADAM SPEAKER:** Mr Coe.

**Mr Coe:** It is on relevance. The specific question was: should businesses and people have any hope that they will have any support with regard to recouping the debt and costs? She has not directly answered that.

**MADAM SPEAKER:** Minister, you have a minute left. Do you have anything further to add?

**MS FITZHARRIS:** No.

### **Work safety—government priorities**

**MR PETTERSSON:** My question is to the Minister for Employment and Workplace Safety. Minister, could you update the Assembly on the ACT government's activities during Work Safety Month.

**MS STEPHEN-SMITH:** I thank Mr Pettersson for his question and for his ongoing commitment to workplace health and safety. This year's theme for national Work Safety Month was "a moment is all it takes". It reflects on the fact that a safety incident can happen in a moment in any workplace but a moment's forethought is also all it takes to prevent harm that may last a lifetime.

As part of Work Safety Month, WorkSafe ACT held and attended a number of workshops, events and seminars in relation to a broad range of issues currently facing Canberra's workplaces. The workshops focused on issues such as occupational cancers, mental health and safe work method statements, to name a few, with stakeholders such as the ACT Cancer Council and beyondblue.

The Work Safety Commissioner and I also attended important events such as the launch of Airport Safety Week and the ACT New South Wales cross-border breakfast, both highlighting the importance of collaboration in safety: collaboration across the varied roles at Canberra Airport from check-in to baggage handling through to the boardroom; and collaboration across the border, including between the ACT and New South Wales regulators.

As I said, WorkSafe ACT also held a number of safe work method statement—SWMS—seminars over safe work month and will be continuing to run them into the future, with hundreds of employees and employers coming along to each seminar to learn about how to minimise or eliminate risks to health and safety for workers conducting high-risk work.

Everyone plays an important role in workplace safety. We ask that everyone take a moment to ensure that they do their part for workplace safety not only during Work Safety Month but every day of the year.

**MR PETTERSSON:** Minister, how do WorkSafe ACT's activities in Work Safety Month reflect the national work health and safety strategy?

**MS STEPHEN-SMITH:** I thank Mr Pettersson for the supplementary question. The national work health and safety strategy's vision is of healthy, safe and productive working lives. It is underpinned by two key principles: that all workers, regardless of their occupation or how they are engaged, have the right to a healthy and safe working environment; and that well-designed healthy and safe work will allow workers in Australia to have more productive working lives. The strategy sets three national targets to be achieved from 2012 to 2022: a reduction in the number of worker fatalities due to injury of at least 20 per cent; a reduction in the incidence rate of claims resulting in one or more weeks off work of at least 30 per cent; and a reduction in the incidence rate of claims for musculoskeletal disorders resulting in one or more weeks off work of at least 30 per cent.

As I mentioned in my previous answer, WorkSafe ACT has been working with a broad range of workers to ensure that everyone has the right to a healthy and safe working environment, including within the retail sector in the lead-up to Christmas. I am pleased to advise the Assembly that in 2016-17 the ACT private sector lost-time injury rate remained at its lowest recorded level for the second year in a row. An independent actuarial review of the territory's workers compensation scheme found that there were 0.24 lost-time injuries for each million dollars of wages paid. This is a reduction of more than 20 per cent since 2010-11. But there is always more to be done. More recent data from 2017-18 shows that the number of lost-time work related injuries reduced by a further six per cent. We will continue to work towards our goal of ensuring that every worker goes home safely at the end of every day and every shift.

**MS ORR:** Minister, what else is the ACT government doing to improve worker safety outcomes?

**MS STEPHEN-SMITH:** I thank Ms Orr for her supplementary question. As the Assembly would be aware, we have introduced a number of important measures in order to improve worker safety outcomes over the past few months. The first of those that I will talk about is the Work Health and Safety Amendment Bill that passed in the Assembly earlier this year. The purpose of this bill is to improve the safety culture in the ACT's construction industry by facilitating greater consultation between employees and employers on major construction projects, something the ACT government believes is core to safe workplace culture.

Consultation is an important part of the risk management process, and this was confirmed by the RMIT University's review into work safety culture in the construction industry last year. Formal mechanisms assist workers to be able to have their voices heard in relation to concerns at work as well as to have a genuine opportunity to contribute to health and safety decisions in the workplace.

Another is the secure local jobs package, which is designed to use the government's purchasing power through procurement to encourage employers to do the best they can by their workers by meeting the highest ethical and labour standards. It is our hope that by creating a scheme that allows businesses that treat their workers fairly to flourish this will flow through to benefit all Canberra workers.

There are many more examples of what the ACT government is doing to improve worker safety outcomes, including the recently tabled outcomes of the independent review of the ACT's work safety compliance infrastructure, policies and procedures which will better position WorkSafe ACT to continue and improve on the work they are doing.

I look forward to working with the Assembly, staff, WorkSafe ACT, unions and other stakeholders to ensure that safety remains a priority not only for the ACT government but for the community we serve.

### **Canberra Hospital—offsite scanning contract**

**MRS DUNNE:** My question is to the Minister for Health and Wellbeing. Minister, in an answer to a question on notice you said that the medical imaging department at the Canberra Hospital had a contract with Everlight to provide offsite CT scan analysis and reporting services. This was to cater for unplanned leave of radiology staff at the hospital. Between 1 January and 21 September this year, 833 scans had been referred to Everlight at a cost of \$100,000. You also advised that the contract had not been loaded onto the contract register. Minister, why is it necessary for the government to spend in excess of \$100,000 per year to cover the unplanned leave of medical imaging staff?

**MS FITZHARRIS:** To make sure that patients get access to timely medical imaging.



**MRS DUNNE:** Minister, does the budget for offsite CT scanning, analysis and reporting services for 2019 anticipate similar levels of unplanned leave as those we experienced in 2018?

**MS FITZHARRIS:** I do not believe so because, as has been discussed in this place, there have been some staff vacancies, a number of which have been filled. But I know that it is the priority of Canberra Health Services to make sure that patients who need access to imaging receive it. It would be remiss of Canberra Health Services not to have a backup plan for unplanned leave to make sure that patients can get access to the imaging that they need.

But with Mrs Dunne's questions on medical imagining, I will update the Assembly on some of the quite extraordinary improvements in the medical imaging department in recent years. For example, there is currently no waitlist for children to have MRI scans under a general anaesthetic, or for breast imaging. The findings of the 2017 health round table, used by hospitals around the country, which mapped Canberra Hospital's median wait time performance against 19 other public hospitals, showed significant improvements across the board and that Canberra Hospital is a leading hospital in this area.

For example, Canberra Hospital's median performance against these other hospitals in patient wait times was: 15.5 hours for an MRI compared to 26.2 hours; for a CT, 8.2 hours versus 11.2 hours; and for an X-ray, 3.7 hours versus 5.6 hours. Canberra Hospital's performance against these other hospitals for emergency department requests was: for an MRI, 3.1 hours versus 24.8 hours; for a CT scan, one hour versus 2.5 hours; and for an X-ray, half an hour compared to 1½ hours.

I expect Canberra health services to continue to improve performance in medical imaging so that patients in the ACT and around the region can continue to access timely diagnostics and medical imaging. I will insist that they have a plan in the event of unplanned leave, as any good health service would. *(Time expired.)*

**MISS C BURCH:** Minister, why was this contract not loaded onto the contracts register, and what have you done to satisfy yourself that other contracts have not also been left off the register?

**MS FITZHARRIS:** It is very clear to ACT Health and to Canberra Health Services that this should be done. I understand that it was an oversight at the time. That has been corrected.

### **Canberra Hospital—pharmacy service**

**MR HANSON:** My question is to the Minister for Health and Wellbeing. Minister, I refer to your answer to Mr Parton's question yesterday about churn in the Canberra Hospital pharmacy, with 32 per cent of staff having left between 1 January 2017 and 30 June 2018. You acknowledged in your answer that the level of turnover is high and, in your words, "not optimal". Minister, why has there been such a high turnover of staff at the Canberra Hospital pharmacy department since January 2017?

**MS FITZHARRIS:** I did note that and I have noted publicly and also directly with pharmacy staff themselves that this is indeed not optimal and it is not ideal at all and that I expect to see improvements in this area. Some of those improvements have come from ACT Health, Canberra Health Services and pharmacy staff working collaboratively on a range of important work to address a number of these issues. Some of those have been addressed through the enterprise bargaining round.

These include making sure that there are pay rates competitive with other jurisdictions and indeed other jurisdictions in the ACT, principally the Therapeutic Goods Administration as well, and also to look at the banding of health professional classifications, including options within pharmacy, Canberra Health Services and as part of broader ACT government work.

What I have asked the new CEO of Canberra Health Services to do is work with pharmacists and, as was reported, and Mr Parton noted in his question earlier in the week, I have been pleased to see progress on this matter. But that does not stop now. It will continue, and I look forward to welcoming even more pharmacists into Canberra Health Services.

**MR HANSON:** Minister, what are the levels of risk or delay in scripts being filled when there is a high churn in hospital pharmacists, resulting in mistakes in the filling of scripts for patients?

**MS FITZHARRIS:** In the majority of instances where people have left, those positions have been filled. I understand that there are still some positions to be filled, and I believe that the agreements that we have reached now and the work that is underway within Canberra Health Services will continue to support pharmacists and I expect to see that improve over the next six to 12 months. It is certainly the case that there is risk in any pharmacy delivery within a hospital. I will take the specifics of Mr Hanson's question on notice.

**MRS DUNNE:** Minister, what concerns do pharmacy staff have about the Canberra Hospital that are contributing to this high level of churn?

**MS FITZHARRIS:** I refer to the matters I raised earlier. They include issues around career progression and wages. I think they were principally the issues. And also, of course, working in a very busy hospital environment. We are looking to work very closely with pharmacy staff to make sure they are supported.

### **Housing—community**

**MR PARTON:** Madam Speaker, my question is to the Minister for Housing and Suburban Development. I refer to an article by a good friend of all of us, former Chief Minister Jon Stanhope, in the *CityNews* of 1 November 2018—I note the nod from the minister—regarding Community Housing Canberra, CHC. Mr Stanhope wrote:

... the ACT Greens/Labor government called in the \$50 million revolving finance facility ... and cancelled the MOU guaranteeing CHC access to land.

What impact has the decision to call in the \$50 million revolving finance facility and cancel the MOU guaranteeing CHC access to land had on the supply of affordable housing in Canberra?

**MS BERRY:** I nod because I note Mr Stanhope's notoriety and his penmanship, if you like, on issues of this government. I have not read the article, but I am not surprised that Mr Parton has read the article and has come here and asked a question about it in the Assembly.

*Opposition members interjecting—*

**MS BERRY:** Well, you know. The ACT government has just announced an additional 151 dwellings that will go to community housing providers. Of course, with the line that was provided to CHC for \$50 million and then a further \$13 million, more than \$13 million, to provide community housing in the ACT, that work is still continuing. The ACT government will continue to work closely with community housing organisations like CHC.

**MR PARTON:** Will these changes in regard to the \$50 million revolving finance lead to CHC ceasing to build affordable housing and to sell existing rental stock in order to pay bills?

**MS BERRY:** I believe that is an assumption that Mr Stanhope made in his article, but the case is that the ACT government has just announced an increase of 151 dwellings for community housing providers in the ACT in 12 months. That is more than the sector has been able to deliver in four years and it shows that the ACT government is committed to working with community housing providers to provide affordable rentals and homes to the ACT community.

**Mr Coe:** A point of order.

**MADAM SPEAKER:** A point of order. Resume your seat, minister.

**Mr Coe:** On relevance, Mr Parton's question was specifically about whether it was going to lead to CHC ceasing to build. I note that the minister has made reference to the government's in-house program but not to CHC's program.

**MADAM SPEAKER:** Minister, you have a minute-plus if you can provide that answer.

**MS BERRY:** Thank you, Madam Speaker. I did at the start say that that was an assumption made by Mr Stanhope, but I would say that the ACT government is not responsible for the management of CHC's work as far as the building or renting of their homes is concerned.

**MS LAWDER:** Minister, has the government called in the MOU guaranteeing the CHC access to land in order to make higher profits from your sale of land?

**MS BERRY:** No.

## **Government—waste to energy policy**

**MS ORR:** My question is to the Minister for City Services. Minister, why is the ACT government considering a waste to energy policy?

**MR STEEL:** I thank Ms Orr for her question. The ACT government is committed to improving the ACT's waste management methods and performance. The ACT needs to look at new and innovative ways to manage waste if we are to reach our commitment of 90 per cent waste recovery by 2025 and a carbon neutral waste sector. These commitments were outlined in the ACT's waste management strategy: Towards a Sustainable Canberra 2011 to 2025. The development of a waste to energy policy was one of the 18 recommendations from the waste feasibility study road map released in May 2018.

There is currently no national policy on waste to energy. Different states are currently exploring how to respond to the range of technologies emerging in this space. There are clearly positives in terms of diverting waste from landfill, especially where this means additional recycling takes place. However, the community rightly will have some concerns about the technology involved. That is why we are seeking the community's involvement in developing this policy. A waste to energy policy will provide certainty to the community and to industry about what technologies will be supported by the Canberra community.

**MS ORR:** What are the methods of converting waste to energy?

**MR STEEL:** Thank you for the supplementary. Converting waste to energy is the process where energy and resources are extracted from waste. Waste to energy utilises many different kinds of technology and can be a potential method to extract value from our waste while diverting waste from landfill and reducing greenhouse emissions at the same time. Not all waste to energy involves any burning, or even heating. There are several methods of converting waste to energy, including but not limited to anaerobic digestion, landfill gas capture, gasification and combustion.

For example, anaerobic digestion is essentially an advanced form of composting. As the name suggests, this is a process that occurs in the absence of oxygen. When waste breaks down, it creates a digester that can be used as a soil conditioner or a fertiliser, and producing a biogas which can also be utilised as fuel.

In response to whether this has been done in the ACT, some waste to energy technologies are currently being utilised. Members may be aware of the current landfill gas capture plant at Mugga landfill, which produces around three megawatts of electricity every year, powering thousands of homes across the ACT while reducing greenhouse gas emissions.

Waste to energy utilises different types of technologies and is already being used in other Australian and international jurisdictions, taking into account a clear understanding of the health and environmental impacts.

**MS CHEYNE:** Minister, who is involved in the development of the policy?

**MR STEEL:** I thank Ms Cheyne for her supplementary. As the Minister for City Services, I want to make sure that our community and industry are partners in helping to design a long-term, informed, evidence-based policy vision for waste energy in the ACT. The ACT government is consulting the Canberra community through the your say website, with consultation open until 27 November. Canberrans can also visit their local library and receive a hard copy of a survey that is being conducted. We are also providing drop-in sessions for residents and the opportunity for one-on-one sessions as well. This will be complemented by focus groups for industry and the community.

The period of consultation will be incredibly important in how the ACT will approach waste to energy policy, particularly around certain technologies that will be regulated. Waste to energy is something that needs to be carefully considered and, as the minister responsible, I am looking forward to working with both industry and the community to investigate and formulate effective waste management policy.

### **Housing—affordable rental properties**

**MR WALL:** My question is to the Minister for Housing and Suburban Development. Minister, your long awaited ACT housing strategy says that an objective is to grow the supply of affordable private rental properties. How do you expect to increase investment in the private rental market when this government continues to punish people for owning a rental property?

**MS BERRY:** I do not think that that is an entirely truthful statement that Mr Wall has made. Affordable rentals in the ACT are supported by the ACT government, particularly with regard to providing support to community housing providers that provide affordable rentals in the ACT. We will continue to work with community housing providers to do that.

**MR WALL:** Minister, when will you introduce a land tax exemption for properties that are provided as affordable rentals?

**MR BARR:** Madam Speaker, land tax policy sits with me, so I will answer the question. I direct the member to the statements contained within the housing policy framework, which was released earlier in the week, that indicated that the government would prepare such legislation, cognisant, of course, of the available—

**Mr Coe:** It's going to be hard to prepare given Mark's already written it.

**MR BARR:** His legalisation you could drive a truck through. We have been very clear about how we will approach that task. We will do so in accordance with the available time for the Assembly in this sitting year and the two sitting weeks in February next year.

**MR PARTON:** Minister, do you now accept that this government has created a rental affordability crisis?

**MS BERRY:** No, I do not accept that at all. The ACT government's tax reform has made homes more affordable for everyone.

*Opposition members interjecting—*

**MS BERRY:** It is true.

*Opposition members interjecting—*

**MADAM SPEAKER:** Members, Mrs Dunne, Mr Hanson. Mrs Jones, perhaps you can ask them to be quiet next.

### **Housing—affordable home ownership**

**MRS JONES:** My question is to the Minister for Housing and Suburban Development. Minister, your housing strategy outlines a goal of increasing affordable home ownership. It states:

The product will be primarily aimed at low income households and, in particular, those currently in the community rental sector looking to transition into home ownership. Such a model could be considered in relation to land releases in future years.

Minister, do you now accept that the government's land release policies have at times locked low income households out of that buying market?

**MS BERRY:** No, I do not.

**MRS JONES:** Minister, when will you announce a time line for implementing your policy to make home ownership more affordable?

**MS BERRY:** The housing strategy is a 10-year strategy that has been announced, and it is right that through the implementation of the different parts of the strategy time is taken to ensure that we get the responses to different ideas that came out of the consultation. Over 100 ideas were part of this conversation. The implementation plan will provide more detail as the government takes the time in different parts of the road map to get the response right. It is only appropriate. It is a 10-year strategy.

**MR PARTON:** Minister, do you now agree that your government must take responsibility for creating a housing affordability crisis?

**MS BERRY:** No, I do not; absolutely not, and this government has not. In fact, the ACT government is leading the way in tax reform to ensure that housing in the ACT becomes more affordable. Of course, the ACT government, in leading the way, has also called on the federal government to ensure that they pull on the tax levers that

they have responsibility for and make adjustments around negative gearing and capital gains.

If the Liberal Party, the Canberra Liberals, were really after making sure that affordable homes were available here in the ACT, then they would back the ACT government and get behind the campaign for the federal government to pull the tax levers that they have responsibility for.

In addition to that, one of the other issues around affordability in the ACT is not in the ACT government's control. It is around wages and I am very happy to see the federal Labor Party commit to improving and increasing Newstart, which this government and our Chief Minister have called for consistently, and will return penalty rates to the lowest paid workers in the ACT so that they can afford to have a decent crack at happiness, which is more than I can say for the Canberra Liberals.

### **Ginninderry—conservation**

**MRS KIKKERT:** My question is to the Minister for Climate Change and Sustainability: in answer to a question about whether you had been consulted on the impacts of the Ginninderry development on three endangered or vulnerable animals you replied, "No, not formally." The endangered or vulnerable animals involved include the little eagle, the golden sun moth and the pink-tailed worm-lizard. However, you replied to a supplementary question saying that you had been involved in "active discussions" about the decision as to whether gas would be available for the development. Does that mean that you did not discharge your duties as sustainability minister in ensuring that this development would not have an adverse impact on the three endangered or vulnerable animals?

**MR RATTENBURY:** As Mrs Kikkert could observe from the administrative arrangements, I do not have formal responsibility, as the minister for sustainability, for the endangered species act in the ACT. Whilst I have a significant personal interest in those issues, they do not formally sit within my ministerial portfolios.

**MRS KIKKERT:** Minister, did your informal discussions include seeking the views of conservation groups and/or local community groups and did they support an exemption from an EIS process?

**MR RATTENBURY:** I have spoken to a number of different people who have an interest in Ginninderry. I think it is fair to reflect, as one can easily see from the public record, that there is a range of views on this matter, including different views amongst some of the environmental or conservation groups in the ACT, on the exact question that Mrs Kikkert is asking about.

**MS LEE:** Minister, do you ever pass on some of those concerns raised by the environmental and community groups to the minister for the environment? If so, when? If not, why not?

**MR RATTENBURY:** Yes; I have discussed these matters with the minister for the environment.

**Housing—residential property approvals**

**MS CHEYNE:** My question is to the Chief Minister. Chief Minister, how have residential building approvals been tracking recently, and what does this indicate about housing supply?

**MR BARR:** I thank Ms Cheyne for the question. Over the past 12 months the ACT has seen annual growth of 64.2 per cent in the number of residential building approvals. I can advise the Assembly that this is the strongest rate of growth of all Australian jurisdictions. Through the year, growth has been positive for eight consecutive months. There has also been significantly higher than the national growth rate over this period. This strong data from September builds on the all-time record month in the history of the Australian Capital Territory's residential building approvals: June, when 739 approvals were granted in just that one month. A strong pipeline of building approvals means that more new homes are coming online to meet demand in the months and years ahead.

At a time when the ACT's population is growing by 2.1 per cent a year, second only to Victoria's, it is important that we continue expanding our housing stock to ensure all Canberrans can find a suitable and affordable home. In this context it is worth mentioning that, according to the Grattan Institute's *Orange Book*, which was released earlier this week, the ACT is the only jurisdiction in Australia to have grown its housing stock per adult between 2011 and 2016. I repeat: the ACT is the only jurisdiction in Australia to have grown its housing stock per adult between 2011 and 2016. We have continued growing housing supply because we understand the need to continue to supply housing to a growing population.

**MS CHEYNE:** Chief Minister, what sorts of residential properties are being approved, and how is this improving housing choices for Canberrans?

**MR BARR:** We are continuing to see a mix of freestanding homes, townhouses and units being approved across Canberra, which is important for diversifying our housing mix and giving Canberrans more choices about where they live.

In the 12 months to September 2018, there were 6,170 approvals in total, consisting of 2,595 approvals for houses and townhouses along with 3,575 approvals for units or apartments. The number of approvals for freestanding homes increased by 32.3 per cent over the past year, with September's approvals also being significantly above the five-year average for this segment of the market. The new freestanding homes will add to the 112,311 existing detached homes which make up 70 per cent of residential properties across the ACT.

Our housing mix is changing over time as we renew the city and town centres in line with the planning principles laid down by successive Labor governments, firstly, of course, by former Chief Minister Jon Stanhope. By promoting a strong pipeline of both freestanding homes and townhouses and apartments, we are working to ensure that there are housing options available at price points and in locations that suit all Canberrans, from the youngest first homebuyers and singles to families with kids and



older people looking to move to more suitably sized housing at certain stages of their lives.

**MS CODY:** Chief Minister, what steps has the government been taking to improve residential housing supply and ensure a strong pipeline of building approvals?

**MR BARR:** The most important way that we can support housing supply and a strong building pipeline is through our forward land release program. This year's program stepped up the number of properties that we will deliver, detailing a plan for a further 17,000 new homes over the next four years from 2018-19 to 2021-22. Delivering this program over four years will add 10.5 per cent to the ACT's total housing stock in four years.

Under the new housing strategy that the Deputy Chief Minister and I released during the week, the government has renewed our commitment to providing land and housing development opportunities that meet demand and see us maintain a healthy four-year building pipeline. This will include dedicating 15 per cent of the annual land released through this program to affordable, community and public housing which, as the Deputy Chief Minister has outlined, is around 630 new homes each year.

We are also supporting a strong building pipeline through urban renewal efforts in our city and town centres. We are investing in high quality transport infrastructure like new light rail and new roads and bridges, and we are reviewing policies on planning and taxation across government to ensure that the policy direction of government is one clear direction to provide more affordable and accessible housing across our growing city.

What will complement this policy agenda that is comprehensive at a territory level is a similar policy direction from a federal government interested in increasing housing supply and removing distortions within the federal taxation arrangements. As the Deputy Chief Minister has pointed out, these are changes to negative gearing to incentivise new build only, a very significant policy shift that this country should adopt, and revision of capital gains tax policy being equally important to support, particularly, owner-occupiers and first homebuyers entering the market, just as we have done by abolishing stamp duty for first homebuyers.

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

### **Supplementary answer to question without notice ACT Health—SPIRE project**

**MS FITZHARRIS:** I am pleased to rise in response to matters raised during question time earlier this week, on Tuesday, about the government's SPIRE project. I am very pleased to provide an update to the Assembly on the significant work underway to meet Canberra's future health needs, in particular the government's significant commitment to investing in health infrastructure to meet these needs, and I am pleased to update the Assembly about the building health services program and the SPIRE project in particular.

As members are aware, ACT Labor had a significant health policy package during the last election. A key component was the SPIRE project, the surgical procedures, interventional radiology and emergency centre. The SPIRE project, an expansion of the Centenary Hospital for Women and Children, and planning for expanded hospital facilities in Canberra's north are major ACT Labor commitments and go to the very heart of our plans to build new hospital infrastructure and to future-proof our public health system for the long-term benefit of Canberrans.

Indeed, the government has committed to investing approximately \$500 million to build the SPIRE centre at the Canberra Hospital campus. SPIRE will increase the capacity of the ACT's theatres, future-proof for future technological innovations, have expanded capacity to offer day surgery, as well as meeting the increasing demand for elective and emergency surgery, expand coronary care facilities, provide more in-patient beds and improve diagnostic and imaging facilities—among many of its benefits. Our election commitment did state that SPIRE was planned to open in 2022-23 but noted that this was prior to feasibility planning and design works being undertaken.

In the past two budgets the government has signalled its absolute commitment to deliver SPIRE by committing \$433 million for this project, and the community and the Assembly will see in the next ACT budget further expenditure to come in the outyears. Alongside this commitment there is also a firm commitment to ensure such a major project proceeds with careful and detailed planning to deliver our commitment to ensure the success of SPIRE.

Planning and design for SPIRE must be considered carefully, for a range of reasons. But two important ones are: firstly, consideration of both current and future service demand, detailed modelling and understanding of the territory's health needs, service demand and clinical requirements of the territory-wide public health system, which importantly includes collaboration with Calvary Public Hospital and the importance of the appropriate role delineation between both hospitals; and, secondly, as the hospital campus is an operational site, the most efficient and effective way to continue to deliver existing services while construction is underway.

Both these considerations must be thoroughly and methodically explored, and they have been. These are a critical part of due diligence to ensure appropriate integration with existing services and facilities. This work is already well progressed, and decanting and planning for early works will be the focus for SPIRE for the rest of 2018 through 2019 and into early 2020.

Territory-wide health services planning processes have been key to the government's ability to carefully plan for the SPIRE project, and this has included careful consideration by the building health services program strategy steering committee. I convened the strategy steering committee to provide advice to me and to the government on the next phase of the building health services program, of which a major feature is the SPIRE project. The strategy steering committee included some of the most senior representatives from ACT Health and what is now Canberra Health Services, other ACT government directorates, our partners at Calvary and the Capital Health Network, to ensure an integrated and strategic approach. This has also given us

the ability to draw on the broad expertise of these partners within government and outside.

The integrated approach of the committee has been critical to ensure that planning for projects meets the long-term health needs of our community. The committee's recommendations have been essential to informing government's consideration of the projects, which does include the most appropriate site location on the Canberra Hospital campus for the SPIRE project. With the best advice, the government remains confident that project works will commence in 2020 and we will continue to work towards project completion in the 2023-24 financial year.

Over the coming weeks we will be embarking on the next critical step, undertaking information briefings with key clinical staff from Canberra Hospital and Calvary Public Hospital to provide an update regarding the project and we will present material that informed the steering committee's deliberations and our infrastructure priorities. This builds on the engagement of staff through the territory-wide health services strategy and the ongoing development of speciality service plans, which has also been a key component of the government's commitment to territory-wide health services planning and to future-proofing the ACT's public health system.

These information briefings are part of essential clinical involvement in the SPIRE project and will be complemented throughout 2019, including with the establishment of the clinical leadership forum in the next two months, as well as further engagement with clinical and other staff and key stakeholders. Following the briefings with our clinical staff, the government will make further announcements prior to the end of 2018 regarding SPIRE and our next steps to begin the project in 2020.

I would like to remind members that 2018 has seen huge progress in the provision of health infrastructure in our hospitals and within our community-based health services. Of course, earlier this year we opened the wonderful new University of Canberra Hospital, which has significantly changed the way we deliver subacute health services, particularly at our public hospitals, and includes the way we care for people recovering from surgery, trauma, illness or, indeed, experiencing mental illness.

We have also opened a new walk-in centre in Gungahlin and started the design process for a new walk-in centre in Weston Creek due to open next year. We have upgraded and opened operating theatres at Calvary Public Hospital in Bruce, we have refurbished the maternity ward at Calvary Public Hospital in Bruce and we have also opened a new, completely refurbished geriatric ward also at the Canberra Hospital.

The SPIRE project continues to be a key priority for the ACT government, and I look forward to updating the Assembly and the community on the significant health investment for the people of Canberra.

## **Paper—order to table**

**MRS DUNNE** (Ginninderra) (3.36): On the matter arising from question time that Ms Fitzharris has dealt with, under standing order 213 I move:

That the Minister table the document being quoted from.

Question resolved in the affirmative.

**Ms Fitzharris** presented the following paper:

Building Health Services Program and the Spire project—Speaking notes.

**Supplementary answer to question without notice  
ACT Health—public interest disclosure**

**MS FITZHARRIS:** Yesterday, Mrs Dunne raised an issue with me regarding matters raised in the media, and I indicated at the time that I had been advised to provide no comment, as many of these matters are the subject of legal proceedings. I am advised, however, that a more precise characterisation is that these matters are the subject of ongoing investigations.

**Papers**

**Mr Barr** presented the following papers:

Annual Reports (Government Agencies) Act, pursuant to section 13—ACT  
Public Service—State of the Service Report—Annual reports—

2016-17—Corrigendum, dated October 2018.

2017-18—Corrigendum, dated October 2018.

**Financial Management Act—consolidated annual financial  
statements 2017-2018  
Paper and statement by minister**

**MR BARR** (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (3.37): For the information of members, I present the following paper:

Financial Management Act, pursuant to section 25—Consolidated Annual  
Financial Statements, including audit opinion—2017-2018 financial year, dated  
30 and 31 October 2018.

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

Leave granted.

**MR BARR:** I present to the Assembly the consolidated annual financial statements for the territory for 2017-18. I am very pleased to report that the consolidated statements received an unqualified audit opinion from the Auditor-General on 31 October 2018. I am equally delighted to report to the Assembly that the final

2017-18 headline net operating balance for the general government sector was a surplus of \$80.8 million, which is in line with the interim outcome of \$86.2 million.

Key financial indicators in the balance sheet remain strong, with net worth of \$15.3 billion and net debt of just \$1.302 billion, which is \$151 million lower than in 2016-17. I advise members that the next update to the territory's financial position will be released with the 2018-19 budget review by a date prior to the middle of February 2019.

The financial statements I present today have been prepared in accordance with Australian accounting standards and are in line with the requirements of the Financial Management Act. I commend to the Assembly this exceptionally strong 2017-18 consolidated annual financial statement for the territory and audit opinion and with great satisfaction can say that all those who said this would not occur have been proved wrong.

## Papers

**Mr Ramsay** presented the following paper:

Coroner's Act, pursuant to subsection 102(8)—ACT Coroner's Court—Annual Report 2017/18, dated 16 October 2018.

**Mr Rattenbury** presented the following paper:

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual report 2017-2018—ACT Commissioner for Sustainability and the Environment—Corrigendum.

## Subordinate legislation

### 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) (3.40): For the information of members, I present the following paper:

Legislation Act, pursuant to section 64—Crimes (Restorative Justice) Act—Crimes (Restorative Justice) Sexual and Family Violence Offences Guidelines 2018—Disallowable Instrument DI2018-266 (LR, 30 October 2018), including an explanatory statement.

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

Leave granted.

**MR RATTENBURY:** I am pleased to table the Crimes (Restorative Justice) Sexual and Family Violence Offences Guidelines 2018 as the ACT's restorative justice scheme extends to its final stage, known as phase 3. As members may be aware,

restorative justice is a facilitator process in which victims of crime, offenders and, where appropriate, their respective communities of care together actively participate in addressing what has happened and who has been affected. Participants at a restorative justice conference also make decisions together about how to repair the harm done by offences. Restorative justice is a voluntary process which directly involves victims of crime in their justice process.

Members may be aware that the scheme was informed by the subcommittee on restorative justice established to report to the ACT sentencing review committee on extending the use of RJ programs in 2003. The scheme commenced operation with phase 1 in January 2005, which covered less serious offences committed by young people. It then expanded to phase 2 in February 2016, encompassing adult offenders and more serious offences. Phase 3 will mean that sexual and family violence offences will now be eligible to be referred to restorative justice, allowing victims of these crimes, and the people responsible for committing them, the opportunity to access facilitated restorative justice conferencing if they are assessed as suitable and choose to participate.

Section 61 of the Crimes (Restorative Justice) Act 2004 provides for the director-general to issue guidelines outlining procedures for, relevantly, making decisions about referrals, the management of restorative justice, and the conduct of conferences. This guideline has been made by the Director-General of the Justice and Community Safety Directorate and was notified on the ACT legislation register earlier this week. The guideline will commence on the day phase 3 of the restorative justice scheme commences.

Consultation on the development of this guideline began early in the life of the restorative justice scheme to support the future implementation of this phase, involving some of the most complex offences in our community. This final phase of the scheme has taken some years to arrive. Initially, the referral uptake for juvenile offenders was so strong that the capacity of the restorative justice unit required expansion to move to phase 2, offering conferencing for adults and making more serious offences eligible to be referred.

The Crimes (Restorative Justice) Act 2004 was constructed to recognise that access through restorative justice for more complex crimes of family violence and sexual offences should not commence until the convening team had time to receive best practice training, raise facilitation capabilities, explore appropriate models of practice, and embed quality clinical supervision and peer supervision practices. This has now been put in place, and we are ready for phase 3 of the scheme to commence.

Violence against women, children and vulnerable members of our community is a serious issue, and any response to such violence must take into account the severe and accumulative impact of these offences on victims, the presence of power and control dynamics, and the reduced capacity for some victims to make un-coerced decisions in their own best interests.

The guideline sets out, for restorative justice unit staff, referring entities and other stakeholders, particular requirements and considerations for managing restorative

justice for these kinds of offences. Extensive consultation has taken place with victim advocacy agencies, criminal justice agencies, and non-government agencies, including men's, women's and young people's support agencies, and across the disability, multicultural, youth and women's advocacy sectors over a significant period in order to shape a guideline that reflects an ethical and philosophically mature practice. The guideline is intended to outline how restorative justice will be applied and how particular components of the process will be emphasised in the management of sexual and family violence offences. It is a separate document to the detailed operational manual that will be used by conveners.

Examples of the matters addressed in the guideline include a more stringent assessment of the suitability of participants, knowing that much information may be initially hidden as family members may seek to minimise impacts on partners and relatives or protect the reputation of the family. The restorative justice unit will gather information from broader and specialist sources in order to accurately gauge motivations for participation and a realistic understanding of risk levels. Any conference plans will include safety measures that should align with existing safety plans and provide a strong foundation for careful communication and engagement throughout the restorative justice conferencing process. The staff of the restorative justice unit will safeguard the autonomy of individuals and their coercion-free decision-making throughout the process.

The guideline makes it clear that those who have caused the harm will be expected to engage with an educational or therapeutic service provider to do the personal inner work of challenging their attitudes and behaviour in order to strengthen their acceptance of responsibility for engaging in harmful behaviours, increasing their empathy and accountability to others, and raising their ability to rely on non-violent solutions to problems.

Those who have experienced harm will be strongly encouraged to access specialist supports if they have not already done so. Where a victim refuses to engage with specialist support and appears too vulnerable in the process, the matter may be found unsuitable to proceed to conference. The guideline makes it clear that victims will have the opportunity to be involved in the design of the conference. For example, they can establish how much detail about the offence gets included and in what order the victim would prefer to speak in the conference. A victim may choose a supporter to speak to particular aspects of a crime.

The guideline highlights the flexibility that restorative justice has to meet the needs of its most vulnerable participants, including people with a disability, young people, the elderly, those from diverse cultural backgrounds and those who form part of minority groups such as the Aboriginal and Torres Strait Islander community and the LGBTIQ community.

The guideline makes reference to the possibility of cooling-off periods when restorative justice agreements are constructed in a conference for a family violence or sexual offence matter. This allows the victim time to further consider the implications of the terms of an agreement and to seek appropriate advice, including legal advice, on its content or request changes prior to signing. Restorative justice conveners will

follow up in the post-conference period, checking on participants' wellbeing, monitoring the outcomes of agreements and reporting outcomes back to the criminal justice referring entities.

The guideline that I am tabling today will guide further understanding of how phase 3 matters will continue to provide voluntary opportunities for participation in restorative justice in a way which maximises the safety and empowerment of victims of crime and maximises the accountability and learning opportunities of people responsible for causing harm, especially gendered harm.

The restorative justice unit has worked diligently to ensure that it is well prepared to provide flexible, community-oriented, culturally competent and trauma-informed restorative justice responses for people harmed by sexual and family violence offences in a process that seeks to address the unique needs of its participants while holding the interests of victims and the accountability of offenders as high priorities.

I have, therefore, declared 1 November 2018 as the day that phase 3 of the restorative justice scheme commences. I take the opportunity to repeat that declaration today, as I table this guideline. Members, restorative justice is important because it provides victims of crime with an opportunity to have their voices heard and their stories listened to, following experiences of harm. The more severe the harm, the more important it is for victims to have access to justice options that include their voices.

Stakeholders and the broader community can be assured that the restorative justice unit conveners have been provided with best practice restorative justice training for general offences, and extensive training delivered by world-renowned trainers from New Zealand and Queensland in relation to domestic violence and sexual offences for both adult and young offenders and their respective victims. While restorative justice may not meet the needs of every victim in the criminal justice system, it does provide an opportunity for victims of crime to ask the tough questions, to understand the implications of an offence and to continue their journey of healing.

### **Bimberi Youth Justice Centre—headline indicators reports Papers and statement by minister**

**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) (3.50): For the information of members, I present the following papers:

Bimberi Youth Justice Centre—Bimberi Headline Indicators Reports—

2017-2018.

March 2018—Updated October 2018.

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

Leave granted.



**MS STEPHEN-SMITH:** In relation to the Bimberi headline indicators report for 2017-18, I note that I am continuing to deliver on the commitment I made to the Assembly in providing an overview of the performance of Bimberi Youth Justice Centre in August 2017. This report enables us to objectively compare and contrast a range of indicators by which we can measure the progress being made to support those young people who are involved in the justice system and who end up in Bimberi. The report I am tabling today provides 2017-18 data for measures in three areas: demographics; safety and security; and programs, education and community engagement.

Caution should be taken when interpreting data in this headline report. It uses unpublished data which has not been cleansed by an external agency and so may not be comparable with data from youth justice centres in other jurisdictions. The report also relies on operational data that is extracted through a manual count. As previously advised, the Community Services Directorate is in the process of finalising a new client information management system that will allow for the improved extraction of data.

I anticipate that this report will support the analysis of trends over time to continue to drive improved practice in Bimberi and better outcomes for young people and their families. This second Bimberi headline report provides comparison data across the 2016-17 and 2017-18 financial years. As I have said before, I am committed to being as transparent as possible about Bimberi's operational performance. This report supports the existing mechanisms providing robust oversight of Bimberi.

These oversight mechanisms include the ACT Human Rights Commission and two official visitors, one of whom is a designated Aboriginal and Torres Strait Islander official visitor. Within the next 18 months, Bimberi will also be overseen by the newly established Inspector of Correctional Services, through a phased implementation approach, which will account for the unique needs of children and young people.

This report shows areas of Bimberi operations where it is important to maintain focus, as well as areas to build on success. The report indicates an increase of use of force, category 2 incidents and assaults. This reflects the increase in the average number of young people in Bimberi on an average day, the increase in the total number of custody days and the significance of the offences for which young people are being detained in Bimberi; for example, serious assault, family violence offences and arson.

The Human Rights Commission has a key role in examining the register for use of force and incidents. In addition, they have powers to speak to young people directly about incidents and have access to relevant materials, such as incident reports and CCTV footage to review incidents directly. The Public Advocate and Children and Young People Commissioner visited Bimberi on 43 occasions during 2017-18, with the official visitors also visiting on 52 occasions.

Keeping children and young people safe while in Bimberi is crucial. One of the headline measures included in the report is the number of operational lockdowns. An

operational lockdown at Bimberi is when a decision has been made to secure all or some young people in their rooms for a period of time. Operational lockdowns are used to ensure the safety of young people and staff at Bimberi based on a number of factors, including the number of young people in Bimberi at the time; cohorts of young people and their risk classification, co-offenders, gender, age, victims and social dynamics; and the number of staff on site to accommodate the number of young people.

As I have mentioned on numerous occasions in this place, the decision to undertake an operational lockdown is not taken lightly and can only be authorised by a member of the senior management team. During a lockdown, while in their rooms, young people have access to television and to reading and educational material. Lockdowns occur for the minimum amount of time possible to ensure the safe operation of Bimberi.

Members may recall from my previous statements that Bimberi was in the process of a recruitment drive in 2017-18. I am pleased to say that 18 new youth workers have been welcomed to the centre in the last six months. Since 14 May 2018, when new youth workers became operational, there has only been one one-hour operational lockdown at Bimberi.

While the report includes measures relating to safety and security, it also has a strong focus on education programs and community engagement, because the core purpose of Bimberi is rehabilitation, providing young people with the supports and services they need to turn their lives around. Young people in detention at Bimberi are supported to maintain engagement in education, build and maintain family ties, and develop the living skills they need to reintegrate successfully into the community.

The Murrumbidgee Education and Training Centre at Bimberi provides a range of education and vocational programs, including recognised certificate programs, tutoring, and transitional support back into the community through an individualised and tailored approach. Since 2011, almost 200 young people have received nationally recognised qualifications through the education centre in a variety of areas, such as construction, hospitality, business, horticulture, life skills and fitness, as well as year 10 and year 12 certificates.

While custody days at Bimberi increased by 36 per cent between 2016-17 and 2017-18, the number of visits by family and friends increased by almost 147 per cent. This demonstrates the commitment of Bimberi management and staff to supporting family and social connections for young people as part of their rehabilitation. I am passionate about ensuring we have a youth justice system that is rehabilitative and provides opportunities for young people. I wish to thank those who work tirelessly to support some of our most vulnerable children and young people, including the 48 agencies that have provided a service within Bimberi during 2017-18.

Earlier I noted that caution should be taken when interpreting data in this headline report because it uses unpublished data which has not been cleansed by an external agency. This was also the case for the report tabled in March 2018. The Bimberi headline indicators report March 2018, updated as at October 2018, which I have also

tabled today, reflects a correction to one figure and a correction to the headline on the demographic data, which was incorrectly labelled as 2017 instead of 2016-17 data.

## **Local primary producers**

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

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

The importance of supporting local primary producers in the ACT.

**MS CHEYNE** (Ginninderra) (3.57): Agricultural production might not be the first thing that comes to most people's minds when they think of the ACT, but it is a sector that contributes millions of dollars to our economy. Canberra is spoiled for choice when it comes to quality locally grown produce. From honey to truffles and the many wineries inside and just outside our borders, our bush capital region punches well above its weight. We are a city of innovation and our primary producers are no exception. And the success story starts at home, which is why it is so important we continue to support these businesses and innovators.

The ACT's agricultural roots cover a broad range of food and materials. These businesses are growing vegetables. They are growing trees producing a range of fruits and olives. They are growing grapes for wine. They are rearing chickens for meat and egg production. They are rearing cattle for beef. They are rearing sheep for both meat and wool. And they are producing honey.

In the 2016-17 year, the gross value of agricultural production in the ACT hit \$11 million. It is a small slice of the national agricultural pie, but an important one nonetheless. What are our most significant commodities money-wise? Cattle tops the list, followed by wool and sheep. Together they make up about 60 per cent of the total value of agricultural production in this region.

On a day-to-day basis, the success of our primary production is perhaps best tested in our local hospitality scene and business community. Locally sourced food and beverages have been essential to the success of many of our city's best restaurants, cafes and bars, with locally sourced produce and wine becoming a key selling point on many menus across town. Local producers are also making a name for themselves across the capital region.

One industry that can perhaps fly under the radar is our locally produced honey. It is an industry that relies on that sense of community that makes Canberra so special, with the city's lush gardens and a distribution of hives making the production of honey possible. Canberra Urban Honey is one success story, relying on hive hosts across the territory to produce its award-winning products. The Belconnen honey is obviously the best.

Truffle farms in and around Canberra are also making their mark, with food lovers and the adventurous rugging up each winter to hunt, taste, and cook this distinct delicacy. The annual Canberra Truffle Festival is testament to the success and popularity of this locally grown product. The Truffle Farm in Majura has become a staple in the city's gastronomic scene, hosting a range of exciting events and experiences during Australia's truffle season, from late May to early September. The Truffle Festival's success can also be measured in numbers. More than 10,000 truffle tourists descend on truffle farms in and around Canberra each year in search of the black gold. According to research commissioned by local producers and the University of Central Queensland, these visitors contribute about \$8 million a year to the region.

And who could forget the Canberra region's winemakers? It is a region well known for its cool climate wines, from riesling to shiraz and a whole lot in between. It is a region with a growing presence at awards across the country and in James Halliday's inimitable *Wine Companion*. Wine tastings and tours have become an essential pastime for locals and tourists alike, with wine lovers exploring the ACT, Murrumbateman and the Lake George area in search of a quality drop.

The capital wine region may be relatively young but it has become one of our most exciting industries. A new generation of winemakers are pushing the envelope: winemakers like Chris Carpenter, who was central to moving Lark Hill Winery towards organic and biodynamic farming, and Sam Leyshon, who has not been afraid to take risks alongside his father, John, at Mallaluka Wines, which is producing some of the region's most experimental drops. You do not even need to cross the New South Wales border to enjoy everything our wine region has to offer, with Mount Majura Vineyard just a short drive away. I am sure many of us feel like we could probably do with a nice glass of wine after another busy sitting week, but we have got a few hours to go.

This is just a taste of the primary producers and businesses on our doorstep, innovators that complement the many events that initially attract visitors to Canberra, such as Floriade, and keep tourists in our city for longer by encouraging them to explore the city and the surrounding region.

Many of these success stories are best showcased at the capital's many lively markets. One of our biggest markets is the Capital Region Farmers Market, a community initiative coordinated by the Rotary Club of Hall. This market showcases a range of primary producers from across the region and beyond, with an array of fresh produce, meat, fresh free-range eggs, dairy items, plants and more. Markets like these are a convenient and enjoyable way to support farmers and small businesses while reducing food miles and filling our pantries and fridges with fresh produce.

This government is committed to supporting our primary producers in a number of ways, including best practice land management, increasing biodiversity, managing biosecurity risks and fostering innovation amid a changing climate. September was Australia's driest on record. ACT farmers have not been immune to the country's arid conditions and below average rainfall. In August this government announced financial assistance for struggling farmers in the form of transport subsidies. Eligible farmers

are able to save up to \$20,000 on the cost of transporting fodder, water, and stock as part of this scheme. Rural resilience grants are another initiative, helping farms improve on farm infrastructure as well as fencing to manage our favourite kangaroos and their grazing. It is important that we continue to support our farmers as they battle some of the driest conditions in living memory.

We know that some of our interstate friends love to Canberra bash, but this is outdated and, frankly, silly. It is a silly view of the nation's capital. Fortunately, it is gradually changing as more and more people realise just how much our region has to offer. Support, though, begins at home. Our primary producers are an important piece of the puzzle, and our supporting our primary producers is a very important piece of that puzzle. So when you are next in need of some honey or a glass of wine, think local. It is good for business, it is good for the economy and it is good for Canberrans.

**MS LE COUTEUR** (Murrumbidgee) (4.05): I thank Ms Cheyne for raising this important issue. We all eat, so it is very important from the point of view of self-sufficiency and resilience, and it is also incredibly important for our health. Apparently, only 68 per cent of people eat enough vegetables. I actually do not think that is true; I think it is vastly less than that. If we are going to talk about health—I am not going to—I would also point out that what you eat has a huge amount to do with your health. Obesity and being overweight are major contributors, as we have talked about many times, to chronic disease.

I am going to have a much more cheerful conversation. In 2013 my colleague Shane Rattenbury was minister for TAMS; therefore, he was the ACT's de facto minister for primary industry. He held a round table on food security which had the simple aim of increasing the percentage of food consumed in the ACT region that is produced and processed locally. The round table agreed that, in the context of climate change and peak oil, it is really important that we have a reliable food supply to assist Canberra to become more resilient. At that time they were talking about Canberra and the region; I appreciate that the MPI is a bit tighter, so I will talk more locally and not about the region, which, of course, is a vital part of the food supply for all of us here in Canberra.

They came to the conclusion that there were a range of policies that could be put in place to support local food production, including the right zoning so that productive agricultural land in the ACT is protected and utilised, and policies that facilitate the use of private land and public open space for food production within urban areas, whether they be domestic, community, market or commercial gardens. I will talk about these, starting with the ones closest to us—making better use of our suburbs. There are a lot of opportunities in our suburbs for more food production which do not require much government activity. We could explore opportunities for increased use of urban unleased land for food production, such as better use of unleased land near our creeks, cyclepaths, road easements and underneath powerline easements—lots and lots of places.

I refer also to public and residential use of public land for home gardening, such as adjacent public unleased land and nature strips—provided, of course, that residents take responsibility for controlling any pests. I am very happy to say that this is

happening as I speak in my neighbourhood on an informal basis. There are a couple of gardens which are on our unleased territory land producing greens and other things. There could be a lot more of this.

There also could be a lot more community gardens. Currently, there are a measly 3.65 hectares across the ACT, which is very little. I would like to see all reasonable-scale multi-unit developments include a community garden. That is something the Greens have been pushing from a planning point of view for a long time, as well as having them on transport routes so that you can get to them. They should be in places where there is access to water and toilets, and possibly even electricity, but certainly water and toilets.

These spaces in greenfield areas should be reserved at the outset. We are building a lot more densely than we used to. We are not building on quarter-acre blocks anymore, where people had lots and lots of space for gardens. We need to set aside space for gardens, if we are to have them. Those of us who have had the opportunity and the pleasure of being able to garden in Canberra will know that over the summer months it is quite feasible to be self-sufficient in vegetables.

In fact, reminiscing a bit, I grew up in Canberra, and in the early days everybody had their own veggie garden because there really was no alternative. The alternative came once a week from Sydney in a truck. In those days trucks took all day to get from Sydney and were not refrigerated, so the potatoes and pumpkins were fine but there really was not much else in the way of veggies that survived the trip from the Sydney market to Canberra to be sold. Everybody, rich or poor, if they were on a quarter-acre block, gardened. They had fruit trees, and they grew their tomatoes and their veggies. While many of us do not have as much space as people did then, you do not actually need a lot of space to make a difference. We need to make the best use of the spaces in our suburban areas. It is also great for people's mental health as well as their physical health.

Another issue that is really important, and which I spoke about in an MPI last year, is honey bee security. We now have registration of beekeepers, but we need to look at reducing pesticide use, particularly neonics, which have been demonstrated to do very bad things to insects, and in particular bees. We need to make sure there is bee habitat; we need to plant bee-friendly plants and reduce monocultures, which are generally not good for bees. And we need to watch out for bee deserts, particularly in new suburbs, where there is nothing that any bee could consume.

We need to support and invest in community gardening. I will mention a few here. The City Farm—I will give a little plug for that—are having their open day next weekend. They provide people with practical and tangible education about food and how you can grow it here in our environment. They are also practical, engaging and nice places to visit. These, of course, apart from their food benefits, have the possibility of increasing tourism, creating jobs and supporting food security.

As well as the City Farm, Lyneham Commons comes to mind. They are revitalising an existing space which was basically full of weeds beforehand. It now has fruit and nut trees as well as many ground cover plants and natives, which will grow for decades to come.

The Weston Creek orchard, for those of you who do not know about it, is next to Fetherston Gardens. Fetherston Gardens were the gardens which were part of the horticultural CIT in Weston. Possibly unfortunately—it seems unfortunate to me—all of this has been centralised in Bruce and those gardens have now been taken over as community gardens. They are not food gardens but they are very beautiful gardens. Ms Cody joined me there on Sunday for the 50th anniversary of Weston Creek.

These sorts of things are as important as our champions to drive engagement in schools such as Mount Stromlo Primary and Majura school, where they produce food for themselves; they cook it, and it is food for the local community. There are champions of the community like Communities@Work and Marymead, who particularly engage the vulnerable parts of our community in food growing. Also, Housing ACT has supported a number of community gardens in some of their complexes.

I realise I am running out of time, but I must mention, as Ms Cheyne did, the issues of drought and climate change. We all know here that climate change is leading to more droughts and hotter weather. One of the things that our farmers have to do is adapt to the impacts of climate change and adjust their farming practices to mitigate climate change.

There are many things that we need to do, of course. One of the things we need to look at is some of the work of pioneering farmers such as Peter Andrews, who have changed how they farm so that their farms are retaining water and soil quality. Some members may have seen *Australian Story* earlier this week, which focused on natural sequence farming. This sort of thinking was out of the box when it first started but it has now become obvious that it is what should be done. It is now tried and effective, and it would be really good if we could help our local farmers to work on it, too. This is something that the ACT government can facilitate.

In closing, thank you, Ms Cheyne, for this motion. This is a very important issue. I would love to have at least half an hour to do justice to my speech and give a tiny amount of justice to this major issue for everyone who lives, and therefore eats, in the ACT.

**MS CODY** (Murrumbidgee) (4.15): I value local primary producers. The ACT is a source of excellent wine, dairy products, honey and many other products that we are less aware of. Please excuse me for not discussing the grains and vegetables, as my peculiar set of allergies mean I cannot eat them; therefore I am not as aware of them.

I do, however, note, as Ms Le Couteur did, that the Canberra City Farm has an open day on Sunday, 11 November. I am very excited about their urban farming initiatives. There are great opportunities to reduce food miles. For those who are not aware, that is the distance food travels between production and consumption. There are many cases now where food grown close to us is transported hundreds, if not thousands, of kilometres for processing and then brought back to feed us.

From an environmental perspective, this is madness. But, even worse, this is often motivated by the economics of using places with lower pay, lower safety standards,

lower environmental standards and/or lower food safety standards. This is one of the other messes left behind by the generation of neoliberalism that dominated our economies and has resulted in low wage growth and greater wealth inequality—an issue that we will no doubt return to for many years to come.

Now that those across the lake have installed a nice fence on their roof, maybe they should consider returning to the days of grazing on Capital Hill. If they object to the metaphors that having bulls on their roof would create, perhaps sheep, or releasing a few farmed kangaroos into the nation's top paddock, would suffice.

Primary industry covers a lot more than food, though. The ACT also has a plantation timber industry. This industry contributes to environmental sustainability. Plantation timber used in construction is an important form of carbon sequestration. That is a good word, isn't it, on the Thursday afternoon of a double sitting week? Carbon sequestration is maximised in trees between the ages of 10 and 30. After this time the rate of sequestration drops as forests reach maturity. Our plantation timber is highly carbon positive, and the ACT parks and conservation service does an excellent job of planning and managing harvesting rotation to ensure that we get the most benefit.

Timber is a renewable resource, used for construction and many other industries. Having local product reduces the financial and carbon cost of transportation, and I hope to see this industry continue as a source of construction materials and employment.

In my preparation for today's speech, I also took the opportunity to review the plans and goals for the way our plantations interact with the urban area and Canberra people. Forests were not regrown after 2003 in ways that would impact the urban environment in case of fire, and extensive work has been done to allow recreational uses of forests for mountain biking, motorsport, orienteering and a range of other functions and festivals. This is good stuff. Whilst Minister Gentleman needs no encouragement to engage in motorsport, I would encourage everyone else to take the many opportunities to use our forests recreationally.

Finally, I would like to single out our local viticulture industry. The ACT makes some very nice wine. A couple of months ago I had the great pleasure of attending the Canberra and Region Wine Show. As someone who enjoys the odd glass of wine, but, as I said to Michael Kennedy, president of the Royal National Capital Agricultural Society, only Canberra region wines, being part of the Canberra and Region Wine Show was awesome. As Michael said, in a letter thanking me for coming along:

As Canberrans we can be proud of the depth and range of quality wineries in the Canberra region which hold their own in national and international competitions.

Well, I agree. Canberra region wines are easily some of the best in Australia and the world. I enjoy sharing them with family and friends at every opportunity. Although I mainly enjoy a glass of pinot gris, the Canberra region is home to some of the best rieslings, as well as some fantastic red wines like shiraz. In fact, some of the winners on the night of the Canberra and Region Wine Show included Capital Wines, Clonakilla—and how can you not mention, as Ms Cheyne did, Mount Majura, our



only Canberra winery? I will refrain from mentioning all of the wineries for fear of forgetting one. But I must say there are not many I have not tried.

For anyone who would like to be more familiar with Canberra region wines, I suggest a visit to the Canberra Wine House, which is located within the Dickson Tradies. It is an excellent club that contributes to the community, not only through the scheme and a range of other charitable works but also by providing full penalty rates to its staff and maintaining a diverse stock of Canberra region wines.

I would not want to get caught droning on, though, so, in closing, I would like to thank all of our primary producers and encourage Canberrans to support them at every chance they get. By supporting local primary producers, we support our local economy and, in turn, each other.

**MR WALL** (Brindabella) (4.21): I am pleased to speak to this matter of public importance today. I am actually quite aware of the importance of primary producers in the ACT region and the need for the government to do more to support our local farmers, particularly during this period of drought. While the ACT does not spring to mind as a jurisdiction with much in the way of primary production, many niche primary producers have established well-regarded farming properties and businesses that come in all shapes and sizes.

Members may be aware of my calls recently for the ACT government to support local farmers by delivering a drought assistance package which matched the level of support on offer in New South Wales. While some assistance has been offered to local farmers, it still does not match the level of support that is on offer across the border. Farmers across the country are being devastated by one of the worst droughts in decades and the ACT is not immune. Farmers here continue to be impacted by the same conditions, with many farming families fighting to keep stock or crops alive on a daily basis.

Whilst the ACT government has come the party to a certain extent in providing some relief for our rural leaseholders, issues are still being raised about the restrictive eligibility criteria for drought transport subsidies. Farmers in the ACT are continuing to do it tough. Just last week, the *Canberra Times* reported a local farmer in my electorate, Andrew Geikie, as saying that a lack of rainfall has forced farmers to make their last round of big decisions at the start of October, with the end of December likely to be another turning point for many farmers in the region. The article stated:

Having de-stocked by about 25 per cent ahead of the winter, he decided not to de-stock further this time around and bought fodder including hay to keep his animals going.

Mr Geikie said he also decided to wean about 2000 lambs early as a result of the drought.

He went on to say in the article:

It's a very dynamic situation at the moment.

He believes that potentially the drought may get worse. In the same article, the president of the ACT Rural Leaseholders' Association, Mr Tom Allen, said:

... the grass on ACT farms was usually between three and four inches high at this time of the year, but in most paddocks it was less than half an inch off the ground.

Mr Allen told the *Canberra Times*:

... the five millimetres of rain recorded at Canberra Airport in the space of two-and-a-half hours early on Saturday afternoon was a good start, but more was needed.

It just settles the dust, really ...

Mr Allen was also critical of the government's current assistance package. He stated that "only about six people" would be eligible in the ACT. He said that if anyone's got investments—that is, investments off their property like an investment property somewhere else—they are "buggered". The article states:

Given the ACT subsidies were based on the NSW model, Mr Allen said the ACT government ought have no issue with changing the off-farm assets test.

It is worth noting that the ACT has implemented a \$1 million off-farm asset cap whilst New South Wales has an asset cap of \$5 million. That does not mean actual cash assets and taking into account mortgages. If you have an investment property or two in or around the ACT and a mortgage on those, as so many people do, that would exceed the \$1 million asset cap. It does not take into consideration the liabilities that might be owing against the properties. That has been awfully restrictive on many farmers.

Madam Assistant Speaker, the connection between ACT Tourism and our primary producers is an important one. The ACT produces everything from wine to truffles, horses, eggs and apples. You name it, we produce it. Members may be impressed to learn that the ACT boasts the highest rate of horse ownership in the country. Many of those owners are earning income from equestrian pursuits.

Recently the Canberra wine show was held at Exhibition Park in Canberra. I acknowledge the success of one of our very own wineries, Mount Majura Vineyard, in the show. We also cannot overlook ventures such as the Capital Region Farmers Market and the Handmade Market as being integral in showcasing produce that our city and region have to offer. Capital Region Farmers Market and Southside Farmers Market are examples of the successful showcase of regional and local produce. These markets offer a unique opportunity to meet people who grow our food and give us urban dwellers an idea of what it takes to be a primary producer, not to mention spoiling us with some very high quality produce.

Another great success story is the Canberra Truffle Farm. It is a great success story not just in primary production terms, by producing quality truffle product, but also by

contributing significantly to our growing tourism industry through both farm tours and the truffle hunt, as well as the restaurant that operates on site, seeing people coming from all over Australia to sample the delicacies.

Once again, I am pleased to have had the opportunity to highlight the importance of our primary producers, an often overlooked economic contributor here in the ACT. I acknowledge them all here today. I thank them for their ongoing hard work and the contribution that they make to Canberra. I also acknowledge the role of the ACT Rural Landholders' Association in advocating for the needs of rural lessees and primary producers here in the ACT. Long may their work continue.

I look forward to the government actually addressing the drought subsidy package that it has put forward and ensuring that it is broadened to make sure that all lessees who are deriving at least 50 per cent of their income from the land are given the same opportunity and the same assistance that those just minutes away over the border are receiving as they battle through what is a very tough drought period.

**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) (4.28): I wish to speak today on the importance of supporting our local primary producers in the ACT. I thank Ms Cheyne for bringing forward this matter of public importance. First of all, I want to emphasise the important role of agriculture and rural landholders in the ACT. There are 160 farming families, or rural landholders, that collectively manage 38,887 hectares that account for 15 per cent of the territory's total land area.

Our rural landholders play many important roles as agricultural producers and stewards of the land. The most important commodities in the ACT, based on gross value for 2016-17, were cattle and calves, at \$3 million, followed by wool at \$2.2 million and sheep and lambs at \$1.7 million. These commodities together contribute 60 per cent of the total value of agricultural production in the ACT.

In addition to cattle and sheep grazing, horse agistment and equestrian enterprises are significant businesses in the ACT. However, our rural landholders are a very diverse group, producing a wide range of other agricultural products, including eggs and free-range eggs, chickens, alpacas and lamas. They also produce fruit and vegetables, wine, olives and truffles.

Many of these businesses further diversify the ACT economy through tourism, including Canberra's cool climate wines and farms in the Majura Valley. I thoroughly enjoyed opening the Majura Valley Bush Festival last year. It offered people a day of farming experiences, with displays of whip cracking, shearing, wood chopping, whip making and saddlery.

Rural landscapes also play an important role in maintaining and improving ecosystems and services in the ACT and region. The ACT government works in collaboration with rural landholders to enhance native vegetation, soil health and water quality in rural landscapes.

September 2018 was declared Australia's driest September on record. Overall, mean temperatures have been above average across Australia. The ACT has experienced rainfall deficiencies since March. Of course, we are all hoping for rain. In recent discussions with the Rural Landholders' Association, in August this year, I was pleased to hear that support provided by the ACT government in recent years has helped many landholders be better prepared for these current conditions.

The ACT Rural Landholders' Association has valued training, workshops, information and grants provided through the regional agriculture Landcare facilitator and the parks and conservation service over the past couple of years. Key outcomes have been improving pastures and grazing management and tackling pest animals and weeds. Specific support provided through training and workshops has included paddock plant identification management; the pasture legume and soil testing program; best practice to increase lamb production—top lamb crop; feral pig control; rabbit control; and chemical use accreditation training. Although farmers have acknowledged that they are in a better position to manage dry conditions than they were previously, they are still feeling the impacts of these recent conditions.

A key concern of the ACT Rural Landholders' Association is the cost of transporting fodder from as far as Victoria and South Australia to feed and care for stock. The ACT government recently announced a farmer support package tailored to the specific needs of ACT farmers that provided a 50 per cent freight subsidy on fodder, water and stock transported in 2018-19, up to \$20,000 per farm business, and the rural resilience grants totalling \$150,000 in 2018-19. That was the total program fund.

The freight transport subsidy was based on the New South Wales scheme. The New South Wales government recently changed the eligibility criteria, raising the off-farm assets from \$1 million to \$5 million. I am pleased to announce today that the ACT government will be matching that funding for those farmers eligible for the freight transport subsidy to the same subsidy in New South Wales.

The ACT rural resilience grants not only will help in current conditions but will also invest in the future of the ACT's agriculture by improving on-farm infrastructure for stock water, including the construction of dams or de-silting existing dams and installing bores, rainwater tanks, pipes and troughs; improving on-farm infrastructure for fodder such as silos and hay sheds; and fencing to manage kangaroo numbers on properties to reduce the total grazing pressure on farms.

Rural landholders have also raised concerns about large numbers of kangaroos and the impact on their properties. I am advised by the Conservator of Flora and Fauna that he has met with rural landholders and is reviewing current approaches, in particular requirements during dry conditions.

In the face of climate change, farm business is becoming increasingly complex. The ability to adapt and build resilience is crucial. The ACT support complements that being provided by the Australian government. ACT rural landholders are encouraged to check their eligibility for commonwealth assistance, including the farm household allowance and concessional loans and farm management deposits, or FMD schemes.

The ACT support package, which is similar to Australian government assistance, is not contingent on declaring a drought. Support is tailored to the specific needs of the ACT farmers.

Rural landholders also play an important role in biosecurity—that is, the management of risks to the economy, environment and the community from pests and diseases entering, establishing and spreading in the ACT. The ACT works closely with other land managers, in particular rural landholders, and New South Wales and Australian government colleagues to collaborate and support each other in the management of biosecurity.

To protect our livestock industry, we have recently amended the Animal Diseases Act 2005 to enhance the traceability of cattle, sheep, goats and pigs in accordance with the national livestock identification system. This will help us to respond rapidly to any pest or disease outbreak in our stock, thereby minimising the impacts to rural landholders.

As the ACT's representative on the Agriculture Ministers' Forum, I will continue to work with all Australian governments to improve national biosecurity arrangements to reduce pest and disease risks for all agricultural sectors, including the plant production industries. In the last year, biosecurity veterinary officers have increased our engagement with rural landholders by supporting information sessions such as "What you need to know about biosecurity plans" and "Best practice pig control" and by actively promoting livestock disease investigations.

The ACT is also an active participant in the national biosecurity communications and engagement network, which works to improve awareness of the harmful effects of unwanted plant and animal pests and diseases that have entered, or are at risk of entering, Australia. The ACT government expenditure on biosecurity has increased by just over \$1 million in 2017-18 to over \$4 million due to the significantly increased investment in invasive species control, training, plant health, surveillance around Canberra Airport, and our contribution to national projects such as the red imported fire ant eradication program in south-east Queensland.

Lastly, I would like to re-emphasise that the ACT's farming families are important members of the Canberra community. The government welcomes the attention that the recent drought summit held in Canberra has brought to this important issue. Many different primary enterprises across the territory contribute to the diversity of the ACT economy. The ACT is providing support to rural landholders not only to help them through the immediate dry conditions but also to build resilience and prepare for the future climate.

Our focus is on supporting ACT rural landholders now to be resilient and better positioned to respond to the changing climate. Our region experiences dry conditions periodically. These conditions may increase in severity with the impacts of climate change. In the face of climate change, farm business is becoming increasingly complex and the ability to adapt and build resilience is crucial.

*Discussion concluded.*

## **Sentencing Legislation Amendment Bill 2018**

Debate resumed from 20 September 2018, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

**MRS JONES** (Murrumbidgee) (4.37): I rise to make brief remarks on behalf of the Canberra Liberals on the Sentencing Legislation Amendment Bill. This bill seeks to clarify and improve the operation of the crime sentencing scheme in the ACT as it relates to intensive correction orders and how offenders will engage in community service work. As a result, the Canberra Liberals will support this amendment bill. The bill puts the functions of an intensive correction assessment on a statutory footing, similar to the current statutory arrangements for pre-sentence reports.

Interestingly, the bill imposes a cap on the amount of education or the number of therapeutic activities that count towards completing a community service work order. This cap will be placed at 25 per cent to ensure the integrity of the ordinary meaning and expectation of the words “community service”. The Canberra Liberals are pleased to see the inclusion of this integrity measure. I was, I must admit, a bit surprised that therapy can count towards community service. However, obviously a cap is a good thing if it does. I believe the majority of our community would believe community service means service for the broader community, not just service for oneself.

On the matter of community correction orders and the benefit that can be derived for families of offenders with intensive correction orders, I would like to make a couple of comments about the ability these orders have to keep families together. The debate around sentencing rarely discusses the somewhat invisible children who go through our courts. I would like to highlight for a moment the work of one organisation, SHINE for Kids, the CEO of which I met at lunchtime today. They do some good work for us in our prison system here. They would like us to consider the children of those we sentence, their relationships with their parents, and their educational and socio-emotional outcomes.

This bill clarifies the use in our community of intensive correction orders, and one clear benefit of these, where appropriate as a sentencing option, is that kids and parents are kept together. I believe SHINE for Kids would like to do more for the families of sentenced people and I hope that, when practical, the minister will make time to meet with them with regard to the work they do and can do in the ACT. The Canberra Liberals support the intent of this amendment bill and its provisions and commend the bill to the Assembly.

**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) (4.40), in reply: Sentencing in the criminal process serves many needs. We use it for deterrence from crime but also to encourage rehabilitation and prevent recidivism. As a government committed to reducing recidivism by 25 per cent by 2025 we are continually improving our sentencing framework to promote a safe and just community. The amendments in this bill are another step in the right direction along that path.

Community service work is an important part of the ACT sentencing landscape. As a sentencing element it is versatile and adaptive, allowing an individualised approach to justice within the community. The bill seeks to increase the versatility of community service work orders by allowing up to 25 per cent of the offender's order to be performed through participation in a program for therapy or education. Community service work can lead to better offender rehabilitation. The principle is that by undertaking work to help and improve the community around them offenders change their individual attitudes and skill sets, which leads to a reduction in recidivism.

Work that can help and improve the community is not something that should be narrowly defined. One of the things that improves our community as a whole is the improvement of each individual. It is the notion that a rising tide lifts all boats. During sentencing the court sets the total number of hours of community service work the offender is expected to perform as part of their penalty for committing the offence. The length of time is ordered by the court. The offender's community corrections officer then determines how that time is spent. The proposed amendments do not affect what order a court can make but broaden what types of activities an offender can be told to undertake by their community corrections officer.

There is an undeniable connection between the provision of support to offenders and the enforcement of court orders. Research in Scotland indicates that offenders who undertook community service work while they were experiencing social or personal problems were more likely to reoffend. Consequently, assisting an individual to manage their personal circumstances while they are subject to an order can increase their prospects of successfully completing that order.

An individualised approach to sentencing is explicit in our legislation. One of the objects of the Crimes (Sentencing) Act 2005 aims to maximise the opportunity for imposing sentences that are constructively adapted to individual offenders. This is part of a growing international recognition of how societies can best prevent reoffending. To quote the Northern Ireland standards on community service work, as each offender has a distinct set of risks, needs, strengths and responsivity issues, assessments, case plans and interventions should be individualised.

The agent within our criminal justice system best placed to make that individualised adjustment is the offender's community corrections officer. An officer might look at an offender's criminogenic profile and determine that the offender needs some additional help before they can meaningfully undertake community service work. If, for example, an offender has PTSD or anger management issues, their community corrections officer may require them to undertake an anger management course or attend counselling to address their PTSD, which will count towards the offender's court-ordered community service hours.

Dealing with those issues first in a constructive and meaningful way will increase the options for community service. Dealing with those issues first makes it more likely a person will complete their community service order. And dealing with those issues first will reduce their chances of reoffending. It is a commonsense horse-before-the-cart route to improving sentence administration processes and outcomes.

As with our whole criminal justice system, there is a balance to be maintained. Sentencing is not just for rehabilitation but to promote a respect for the law and the maintenance of a just and safe society. Community service orders are not just about the individual, which is why the number of hours that can be completed through therapy and education programs is capped at 25 per cent of the total number of hours.

This amendment bill gives our community corrections officers more tools to help offenders stop the cycle of reoffending. Allowing community service work hours to be partially completed through therapy and education programs gives the territory's justice system an opportunity to better support offenders in developing essential skills for living harmoniously within our community. This bill also clarifies some elements of the intensive correction orders scheme introduced in 2016 and restructures parts of the sentencing and sentencing administration acts to align the procedure sentencing courts use when ordering reports about offenders.

Firstly, the bill clarifies what should happen where an offender is convicted of a further offence punishable by imprisonment while on an ICO. This amendment removes a potential ambiguity in the existing legislation identified by Justice Penfold in 2017 in the case of *R v XH*. If an offender is sentenced to an ICO and then goes on to be found guilty of a further offence punishable by imprisonment, the court must cancel the intensive correction order unless it is not in the interests of justice to do so. The offender may be able to serve only part of that remaining term in full-time custody if the judge or magistrate sets a non-parole period.

The amendments ensure there is fairness between offenders who have their ICOs cancelled and offenders who spend their entire sentence in full-time detention by providing rules about when a non-parole period can be set following an ICO cancellation. If an offender wanted to apply for parole they would need to apply to the Sentence Administration Board using the same practices and procedures that apply to other offenders serving a sentence of full-time detention.

As was highlighted in the explanatory statement to the bill, this amendment limits the right to liberty and security protected by section 17 of the Human Rights Act as it provides for full-time detention when an ICO is cancelled. This is a reasonable limitation on civil rights. The amendment leaves in place the ability for the judge or magistrate to find it is not in the interests of justice to cancel the order. If it is in the interests of justice for the order to be cancelled, there is further judicial discretion given to determine whether a parole order is appropriate.

Committing a further offence punishable by imprisonment is a serious breach of an ICO, which itself is a final alternative to full-time imprisonment. Requiring an offender to spend the remainder of their order term in full imprisonment, provided it is in the interests of justice to do so and allowing for the possibility of parole where appropriate, is the most proportionate response. Arising from this, the bill also clarifies what official notifications a court needs to make following the cancellation of an intensive correction order.



Secondly, the bill ensures that similar consequences for an offender flow from the issuing of a warrant, regardless of whether the warrant is issued by a court or the Sentence Administration Board. When a warrant is issued for an offender, the offender is not considered to be serving their intensive correction order while the warrant is in effect.

Intensive correction orders, as the name connotes, are designed to provide for intensive contact between the offender and their community corrections officer. If an offender has ceased all contact to the point where a warrant is needed to ascertain their whereabouts, they are no longer engaging in intensive contact with ACT Corrective Services. As such, this period is not counted towards completion of the offender's sentence. In order to ensure fairness, this mechanism does not apply where an offender is already in custody or is being detained under the Mental Health Act 2015.

The result of this amendment is that for some offenders their sentence imposed by the court may not finish when originally anticipated. This could limit the right to liberty and security of a person protected by section 18 of the Human Rights Act. It is important to note that while a sentence may take longer for an offender to complete, the sentence itself has not been extended. The amendment simply requires that the offender spend as much time engaging in intensive correction as originally ordered by the sentencing court. As noted by the Standing Committee on Justice and Community Safety, warrants issued by the Sentence Administration Board must be issued by a judicial member of the board. These warrants are issued when an offender has not appeared before the board as required.

Finally, the bill clarifies the circumstances in which the court is entitled to order an intensive correction order assessment report and consolidates the procedural provisions within the Crimes (Sentencing) Act and the Crimes (Sentence Administration) Act to provide parity between intensive correction assessments and pre-sentence reports. A full review of the intensive correction order provisions is scheduled for 2019 and will evaluate the sentencing option fully.

As I mentioned upon presentation of this bill to the Assembly, the bill also makes minor technical corrections to the definition of "automatic disqualification provision" in the Road Transport (General) Act 1999 and "lawful custody" in the Crimes Act 1900.

This bill continues the government's commitment to improving the effectiveness of the ACT's justice system. The amendments in the Sentencing Legislation Amendment Bill make important and sensible changes to clarify the operation of intensive correction orders and to increase the effectiveness of the community service work scheme. The bill ensures sentencing in the ACT functions effectively and fairly and delivers strong outcomes for the ACT community. I thank Mrs Jones for her comments, and I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Leave granted to dispense with the detail stage.

Bill agreed to.

## **Standing orders—suspension**

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

That so much of the standing orders be suspended as would prevent Private Members' business, notice No 7, being the Government Agencies (Land Acquisition Reporting) Bill 2018, being called on and debated forthwith.

## **Government Agencies (Land Acquisition Reporting) Bill 2018**

### **Detail stage**

Clauses 1 to 6.

Debate resumed from 24 October 2018, on motion by **Mr Gentleman**.

**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) (4.52): I will take this opportunity to give an overall comment on the amendments that we are proposing and also, later on, move further amendments and table the supplementary explanatory statement to the amendments.

I am pleased to debate the Government Agencies (Land Acquisition Reporting) Bill 2018 presented as a private member's bill to the Legislative Assembly in August 2018 by Mr Alistair Coe. Mr Coe's bill seeks to establish a new act to improve the integrity and transparency of all land acquisitions made by government agencies through the creation of new reporting obligations.

The government's commitment to the principles of openness and transparency is well established in its culture and operations and is also reflected in current legislation such as the Freedom of Information Act. The government is always open to new measures for providing information in a more effective way to the wider community.

The bill builds on a now well-established framework for reporting on land transactions. This includes reporting requirements under the City Renewal Authority and Suburban Land Agency Act 2017, the Annual Reports (Government Agencies) Act 2004, the Financial Management Act 1996, the Land Acquisitions Act 1994 and the Planning and Development Act.

The government supports measures to build on this existing framework. In doing so the government is mindful that the bill should not introduce extensive new

requirements that amount to unnecessary red tape, an additional call on limited resources for little or no purpose. The government is also mindful that the required public reports should be clear and focused and not made impenetrable by including information of little immediate interest to the wider community. Finally, the government is mindful that the bill should make effective provision for the protection of privacy. With these aims in mind, I turn to some of the key features of the amendments proposed by the government.

The government amendments will ensure that reports focus on land acquisitions that are relatively significant. To this end, government amendment No 4, a new section 6(2), would exclude the transfer of land between government agencies. These are administrative in nature and have no significant financial implications to the territory. Collating and reporting on these day-to-day transactions would involve resources for little purpose.

Government amendments will also not require reporting on the acquisition of interests in land such as easements, temporary easements and licences to occupy. This is the effect of government amendment No 4, new section 6A(3)(b). The original bill would require extensive reporting on matters such as temporary easements or access to building sites and easements created for utility services in a new estate. Reporting on these and similar would require resources to little purpose and, just as importantly, would result in public reports that are confusing and lack focus.

The government amendments leave open the possibility of adding to the list of reportable acquisitions through regulation. This is set out in the regulation power in the new sections 6A(2) and 6A(3). To this end, the government will support Mr Coe's amendments to delay commencement of this easement provision to 1 July 2019, consistent with the government's proposed transition period for the application of the act to Icon Water.

Relevant also to the scope of the bill is the types of government agencies to which the bill will apply. Under government amendment No 2 the University of Canberra would be excluded from the act. This recognises the fact that the university operates in a commercial environment with a degree of independence from central government in its day-to-day operations. The government amendment will, however, apply to territory-owned corporations, that is, Icon Water. This is in recognition of the level of interest in land acquisitions by entities of this type. The proposed amendments will allow an additional six-month transition period to afford Icon Water the time to consider the new requirements in the context of their commercial environment and set up systems for implementation.

I will now turn to the required content of the reports. The government amendments will require reporting on particulars of the land, the identity of the acquiring government agency, the identity of the entity from whom the land was acquired, the method of acquisition and the price paid. This will apply to all land acquisitions, including acquisitions that must be reported under the Lands Acquisition Act.

For relatively significant land acquisitions the government amendments will require reporting on additional matters. This includes providing copies of all valuations used

in assessing price and identifying the minister or other entity that approved the acquisition. This will also include a short summary of the reason for the acquisition, the public interest, consistency with the Territory Plan and value for money, among other matters. These content requirements are in the government's amendments 8, 9 and 10 which amend section 8.

The idea is for these reports to be clear, concise and a summary of the acquisition—a quick read. The bill as presented would not achieve this but would clutter and confuse the report with excess information. Under the government amendments the reports will provide sufficient information for the reader to assess a report and decide whether to explore further. Should any of my colleagues in this place wish to inquire further there are obviously a number of avenues for this, including questions on notice, estimates hearings and FOI requests.

Importantly, the bill will not require full reports to be made in connection with the land required under the Lands Acquisition Act. This is the effect of government amendments 10, 15 and 17. This recognises that the Lands Acquisition Act has its own detailed reporting mechanisms and that information as to price may not be available, as compulsory land acquisitions can be made for a price determined.

As I have indicated, the government amendments include a number of measures for the protection of privacy. Disclosure of specific addresses for all land required for public housing or for a sensitive community health or safety facility could lead to the identification of a future resident or user of such a facility. This would amount to an unacceptable intrusion into the privacy of such individuals.

The public housing government amendments will require the disclosure of the general area, that is, of the relevant district as determined under the Districts Act. This is the effect of the new section 9 in government amendment 18. The level of protection against disclosure is in keeping with existing privacy exemptions in relevant provisions of the Freedom of Information Act 2016 and the Housing Assistance Act 2007. This measure will also apply to ACT Housing properties that are used for the provision of sensitive community services, such as domestic violence shelters. There are similar policy provisions for acquisitions that are declared by the minister to be for a sensitive community health or safety facility. There are also protections for former owners of land rent leases, consistent with the Taxation Administration Act 1999.

The bill will also remove the name of any individual seller of land. There is scope for regulations to add these protections. The bill as presented requires the disclosure of otherwise confidential information to the relevant committee of the Assembly. While I respect the proven ability of committees to protect confidential information under relevant protocols, I see little justification for this additional exposure of confidential information.

I thank Mr Coe and Ms Le Couteur for collaborating with the government to come to an agreement on this bill. The bill, in conjunction with the government's proposed amendments, will be effective and focused, avoid excessive red tape and result in a more informed community. The government supports the bill, subject to the proposed government amendments.

I seek leave to move amendments Nos 1 to 3 circulated in my name together.

Leave granted.

**MR GENTLEMAN:** I move amendments Nos 1 to 3 circulated in my name together and I table a supplementary explanatory statement to the amendments [*see schedule 1 at page 4712*].

**MR COE** (Yerrabi—Leader of the Opposition) (5.00): The amendments give effect to a number of agreed matters.

All parties have agreed to report on easements prescribed by regulation under this act. We believe that there is merit in including easements based on size, price paid or another relevant criterion. If the ACT government were to pay a significant amount for an easement it would, we believe, be in the public interest to still report on that purchase. The sheer fact that it is an easement should not mean that it cannot or should not be reported under any circumstances.

The Canberra Liberals' position remains as stated in the original bill. We believe that all territory entities should be included. While we appreciate Labor and the Greens' position, we are glad to see that the territory-owned corporations will be included.

We support a delayed commencement date for territory-owned corporations to allow time for the necessary implementation. Whilst we are willing to support that, I do think it is a bit of a stretch that somehow Icon Water are unable to report on this by 1 July, but in the spirit of tri-partisanship we are happy to support that.

**MS LE COUTEUR** (Murrumbidgee) (5.02): I will also be supporting this and the Liberal amendment to the ALP amendment, as it is clear that all three parties will do so.

I want to put on record my thanks to all the staff in all three offices that have been working on this. It is really complicated. I hope that I am going to manage to follow the script correctly, because this is particularly complicated. It is a pity it has gone right down to the wire and that there have been amendments today on the subject. It is a pity that we could not have done this a bit earlier. But, given that, I very much thank, in particular, Jason from my office and others from others' offices for their hard work on ensuring that we will get our lines right and get the best possible outcome in this complicated bit of legislation.

**MR COE** (Yerrabi—Leader of the Opposition) (5.03): I seek leave to move amendments that have not been circulated in accordance with standing order 178A.

Leave granted.

**MR COE:** I move amendment No 1, on the blue paper, to Mr Gentleman's proposed amendment No 1 [*see schedule 2 at page 4718*].

**Mr Coe's** amendment to **Mr Gentleman's** proposed amendment No 1 agreed to.

**Mr Gentleman's** amendment No 1, as amended, agreed to.

**Mr Gentleman's** amendments Nos 2 and 3 agreed to.

Clauses 1 to 6, as amended, agreed to.

New clause 6A.

**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) (5.04): I move amendment No 4 circulated in my name, which inserts a new clause 6A. *[see schedule 1 at page 4713]*.

**MR COE** (Yerrabi—Leader of the Opposition) (5.05): The opposition will be supporting the government's amendment here, which seeks to provide a more precise legal definition of land. We appreciate the legal and technical expertise of the public servants involved in the drafting of this legislation and support the additional clarity that this amendment will bring.

We do have changes ourselves to 6A, which will be effected in later amendments, to allow for the reporting of easements prescribed by legislation.

Amendment agreed to.

Proposed new clause 6A agreed to.

Clause 7.

**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) (5.05): I move amendment No 5 circulated in my name. *[see schedule 1 at page 4714]*.

**MR COE** (Yerrabi—Leader of the Opposition) (5.06): The opposition is supporting the government's substitution of clause 7.

In the bill circulated in my name last week, we sought to publish the information on the ACT government website instead of its being tabled in the Assembly, to make reports more widely accessible. We anticipated that these reports could feasibly be uploaded to the relevant government agency's website or the data page of the ACT government. I am glad to see that this has been accepted by all parties. We are also supportive of the report to also be given to the relevant committee for additional oversight.

Amendment agreed to.

Clause 7, as amended, agreed to.

Clause 8.

**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) (5.07), by leave: I move amendments Nos 6 and 7 circulated in my name together [*see schedule 1 at page 4714*].

Madam Deputy Speaker, I will not talk further on each clause. I gave the overall view at the beginning of my comments.

Amendments agreed to.

**MR COE** (Yerrabi—Leader of the Opposition) (5.07), by leave: I move amendments Nos 1 and 2 circulated in my name together on the green paper [*see schedule 3 at page 4719*].

These amendments are minor and technical in nature. They seek to include compensation that is payable as well as that which is actually paid in the reporting.

Amendments agreed to.

**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) (5.08): I move amendment No 8 circulated in my name [*see schedule 1 at page 4714*].

**MR COE** (Yerrabi—Leader of the Opposition) (5.09): The opposition will be supporting the refinement of the bill to include the valuations and ensure that the reporting requirements do not capture any unnecessary administrative discussions.

Amendment agreed to.

**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) (5.09): I move amendment No 9 circulated in my name [*see schedule 1 at page 4715*].

**MR COE** (5.10): I move my amendment No 2, on the blue paper, to Mr Gentleman's proposed amendment No 9 [*see schedule 2 at page 4719*].

The opposition is seeking to amend the government's amendment to clause 8(1)(e). We believe it is important to report not just on whether the minister or cabinet

approved the acquisition but also on whether or not they considered the acquisition. There may be a circumstance where a minister or cabinet considered an acquisition but the acquisition was ultimately approved by a public servant in a directorate.

I think that is probably going to happen almost all the time: there is going to be a delegate who technically ticks off on the purchase, ticks off on the transfer of funds or actually signs the sale documents. Therefore, I think it is very important that we note whether the minister or cabinet was involved in the consideration of the acquisition.

I urge Ms Le Couteur, in particular, to support our amendment here. Failure to do so could give significant wriggle room for the government to not publish whether the cabinet or minister approved or were involved in these acquisitions.

We have also sought to include the date that cabinet considered the acquisition. This ties into the operation of the Freedom of Information Act and cabinet summaries being made available on open access information. We believe that these requirements are not administratively burdensome and will be both relevant and beneficial to include in any report on an acquisition.

**MS LE COUTEUR** (Murrumbidgee) (5.12): This was the last issue we worked on to try to settle between the parties, and basically we ran out of time. I think this is really unfortunate. Mr Coe started his bill, I think, in February this year. It is very disappointing that the ALP was not able to engage with it earlier so that we did not have this last-minute collection of amendments from all sides. We have had months to consider this motion. My office has worked constructively with Mr Coe's office over this time.

This is disappointing. We are going to oppose this amendment, not because we oppose Mr Coe's intent but because we were convinced that how it was written was potentially not going to do what was intended. I am sure that if we had an extra few hours, we could get this one sorted, probably in a way that all three parties would agree on. It is very unfortunate. My office and Mr Coe's office were working on this until 2 o'clock today, and we could not come up with anything that did not appear to have unintended consequences.

I urge the government in the future to engage earlier with important bills like this. I think we can say that with something as important as this, the Assembly actually wants to get it right. Certainly the Greens want to get it right. We want to pass the best legislation for the ACT.

We appreciate in this instance that the government have accessed information that the crossbench and the backbench do not have, so their contribution is important and we listen to it. It is very disappointing that they made their contribution so late in the piece. Regretfully, we are not supporting Mr Coe's amendment.

**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) (5.14): The government will not be supporting Mr Coe's last-minute



amendment. We do not believe that it works structurally within this. And it was not about time; it was about the consideration of whether this amendment would work.

**MR COE** (Yerrabi—Leader of the Opposition) (5.15): Whilst I appreciate Ms Le Couteur's contribution that her office and my office have worked collaboratively on this—and that has certainly been the case from my perspective—it is a shame that if members of the Labor Party or representatives of the Labor Party have not been as cooperative in this process, they are in effect being rewarded for that and they are getting their preferred outcome because of that inactivity. I think it is most unfortunate that we are not going to get the transparency that the ACT public deserve.

**Mr Coe's** amendment to **Mr Gentleman's** proposed amendment negated.

**Mr Gentleman's** amendment No 9 agreed to.

**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) (5.16), by leave: I move amendments Nos 10 to 14 circulated in my name together [*see schedule 1 at page 4715*].

**MR COE** (Yerrabi—Leader of the Opposition) (5.17): The opposition will be supporting government amendments 10 through 14. These amendments give effect to the matters covered in clauses 8, 10 and 11 of the bill. The changes are largely the result of negotiations and to alleviate any concerns surrounding the administrative burden of reporting on the matters in this bill.

The bill itself was not meant to be administratively burdensome, but instead required reporting on the due diligence that had already been undertaken by public servants before an acquisition was approved. That is, if the government was going to be spending half a million dollars, one million dollars, 1½ million dollars or whatever the amount is, surely they have already done the due diligence, and filling out a one-pager on the work they had already done should not be particularly troublesome.

I know that the amendments now specify that the requirement is simply a short statement about matters identified in the bill. We believe that this should be relatively easy to comply with if it is simply a high-level discussion or a few paragraphs copied from the briefing document that has already been prepared. We believe that it is sufficient for the time being. It is not our intention to create an undue burden on the public service, but we maintain that there is merit in consolidated and consistent reporting on acquisitions across agencies.

At the moment we have just about no visibility on the vast majority of government land acquisitions, particularly those in Housing ACT. This will at least give us a glimpse of the purchases—

**Ms Berry:** No, you should not. It is none of your business.

**MR COE:** Ms Berry just said that we should not have any visibility of these purchases. That goes to the very problem with this government. They think they can go and purchase buildings, purchase properties, for millions of dollars and not have any scrutiny about the acquisitions.

We are not looking to go and publish the addresses of public housing properties, but Ms Berry is very late to the party here and this is indicative of the problems that we have had in dealing with the Labor Party on this issue. We have no interest whatsoever in publishing the addresses of public housing properties. But if you are going to go out and purchase properties for half a million dollars or a million dollars, it should be scrutinised. There should be some visibility.

At the moment there could be hundreds of purchases made each year, perhaps \$100 million a year, that nobody has any scrutiny of. How do we know that they are paying the right amounts for these properties? How do we know that there are not some properties where they are paying \$50,000 or \$100,000 too much? Somebody has to scrutinise this.

The fact that Ms Berry thinks that that is somehow inappropriate begs the question as to why she has just supported all the other amendments. I do not know why she is nodding her head and then shaking her head about the same issue. It is bizarre. It shows either a complete lack of knowledge about this issue or a complete unwillingness to actually accept any scrutiny on government expenditure. One way or another, it shows a stark level of incompetence within the ministry.

**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) (5.20): I want to simply respond to Mr Coe's comments on this amendment. At the very beginning of the detail stage, I outlined the government's commitment to the principles of openness and transparency. It is well established in its culture and its operations, and it is reflected here today by our willingness to support Mr Coe's bill with some amendments.

Amendments agreed to.

**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) (5.21): I move amendment No 15 circulated in my name [*see schedule 1 at page 4716*].

**MR COE** (Yerrabi—Leader of the Opposition) (5.22): The opposition very much prefers the amendment that I will be moving in the event that Mr Gentleman's is defeated. The opposition will be supporting our alternative, 8(2).

The government's amendment seeks to exclude reporting on compensation for certain acquisitions under the Lands Acquisitions Act with provision to update reports. We

understand and support the need to have an exception for compulsory acquisitions, since the compensation may not be known for a period. However, we believe that the report should be updated with that information once it has been determined. We believe our amendment is a practical alternative which preserves the necessary exemption whilst still allowing for the consolidated reporting on the acquisition once the compensation is paid or the amount payable is known.

**MS LE COUTEUR** (Murrumbidgee) (5.23): The Greens support the Liberals' version of this. I will endeavour to vote appropriately for that, that is, against Mr Gentleman's proposed amendment.

Amendment negatived.

**MR COE** (Yerrabi—Leader of the Opposition) (5.24): I move amendment No 3 on the green paper [*see schedule 3 at page 4719*].

Amendment agreed to.

**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) (5.24): I move amendment No 16 circulated in my name [*see schedule 1 at page 4716*].

**MR COE** (Yerrabi—Leader of the Opposition) (5.24): The opposition will support the government's amendment here. This is intended to capture risk assessments, relevant advice on the acquisition or information from the business case which would have fallen under 8(1)(h) in the bill. We appreciate that sometimes there may not be advice from another agency which had a substantial impact on the acquisition, but where advice has had a material effect on the decision to acquire property, we believe it would be prudent to include that information.

Amendment agreed to.

**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) (5.25): I move amendment No 17 circulated in my name [*see schedule 1 at page 4716*].

**MR COE** (Yerrabi—Leader of the Opposition) (5.25): I move my amendment No 3 on the blue paper to Mr Gentleman's amendment No 17 [*see schedule 2 at page 4719*].

While the Canberra Liberals are supportive of the use of the term "defined land acquisition" in the legislation we believe that acquisitions under the Lands Acquisition Act 1994 should be subject to the full reporting requirements too. In cases where the acquisitions are required under the Lands Acquisition Act 1994 there are a number of procedures and processes which would enable reporting. To us, it does not

seem prudent to exclude acquisitions made under the act that specifically deal with land acquisitions.

The remainder of the acquisitions, for example a termination of a crown lease, may not necessarily have been actively pursued by government or are more technical in nature. We accept that these types of technical acquisitions may not have attracted the same due diligence as those the government has agreed by specific decision. We believe minimal reporting in these circumstances would satisfy the public interest and transparency aims of the bill.

Further, I note that if the due diligence on these acquisitions had been performed it would be beneficial for a full report to be included in the interests of transparency and to fulfil the aims of the bill.

**Mr Coe's** amendment to **Mr Gentleman's** proposed amendment agreed to.

**Mr Gentleman's** amendment, as amended, agreed to.

Clause 8, as amended, agreed to.

Clause 9.

**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) (5.28): I move amendment No 18 circulated in my name [*see schedule 1 at page 4716*].

**MR COE** (Yerrabi—Leader of the Opposition) (5.28): While the opposition appreciates and supports aspects of the government's amendment on privacy in relation to the exclusion of block identifiers in the public report we do not believe that there would be a significant risk in supplying the block identifiers of housing assistance and health facilities to the relevant Assembly committee.

Many people, both inside and outside government, know where these houses or these properties are located. There are many third-party contractors and maintenance providers who also know the addresses of public housing properties. Relevant real estate agents also know where the facilities are; neighbours may know as well, in addition of course to lawyers who have worked on the relevant transfers. And there are many public servants who also know where these properties are.

At no point have we sought to make any of this information publicly available. All that we think would be useful is if it were to be sent to the relevant committee of MLAs. I do not think it is in any way going to lead to this information becoming public. We believe that the committee members and secretaries have the discretion not to disclose these particulars in exactly the same way as many public servants do not disclose these particulars, or lawyers or real estate agents or tradesmen and women who work for Housing ACT on a daily basis.

**MS LE COUTEUR** (Murrumbidgee) (5.30): The Greens will be supporting the ALP's amendment. Mr Coe has a concern about whether or not the committee receives information which could be relevant to privacy and safety impacts about, for instance, a new women's refuge. I understand his view that there is not enough transparency and this is one of the fine-line ones.

In this instance we are erring on the side of the safety of the community. It is a balance and it is a difficult balance. I note that the relevant committee, if it has a reason to be concerned about any particular transactions, obviously can ask the government for more information, which I would trust that the government would hand over appropriate to the safety and discretion of the committee. But there does not seem a need for this to be done on a routine basis. In this instance we will be voting with the ALP rather than the Liberal Party.

Amendment agreed to.

Clause 9, as amended, agreed to.

Clauses 10 and 11, by leave, taken together.

**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) (5.32), by leave: I move amendments Nos 19 and 20 circulated in my name together [*see schedule 1 at page 4717*].

Amendments agreed to.

Clauses 10 and 11 omitted from the bill.

Clauses 12 and 13, by leave, taken together and agreed to.

Proposed new part 4A (incorporating new clauses 13A and 13B).

**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) (5.34): I move amendment No 21 circulated in my name, which inserts new clauses 13A and 13B [*see schedule 1 at page 4717*].

New part 4A (incorporating proposed new clauses 13A and 13B) agreed to.

Clause 14 agreed to.

Proposed new part 6.

**MR COE** (Yerrabi—Leader of the Opposition) (5.34): I move amendment No 1 on the yellow paper circulated in my name (*see schedule 4 at page 4720*).

While the opposition is largely in support of the new 6A making the definitions of “land” and “land acquisition” more precise, we are putting forward this amendment that seeks to include easements as reportable acquisitions under the act. We have proposed for the type and nature of easements to be reported under the act to be determined through regulation so as not to capture those which are relatively minor or inconsequential. This ties in with our previous amendment allowing the reportable quarter for easements to commence on 1 July 2019.

This means that not every single easement will need to be reported but only ones that the minister determines by regulation are significant. For instance, if there were a massive easement through a rural block that went for a considerable distance, very large, or one that went through a very valuable block that was very extensive, those ones would be reported if the regulation were such that it was met. But for very minor easements there would be no need to report.

Amendment agreed to.

New part 6 (incorporating new clause 15) agreed to.

Remainder of bill, by leave, taken as a whole.

**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) (5.36), by leave: I move amendments Nos 22 to 26 circulated in my name together [*see schedule 1 at page 4717*].

Amendments agreed to.

**MR COE** (Yerrabi—Leader of the Opposition) (5.36): This bill was one of the six integrity measures I outlined in my budget reply speech last year and I am very pleased that this is now going to be passed. We introduced the bill in its first iteration, the Lands Acquisition (Reporting Requirements) Amendment Bill 2018, during the first sitting week of 2018 and after discussions we brought forward the Government Agencies (Land Acquisition Reporting) Bill 2018. Since then it has been the subject of much discussion and negotiation behind the scenes, particularly over the past few weeks. We delayed debate in September and again last week but we are happy that all parties have worked together to come to an agreement on this important piece of legislation.

While the end result looks somewhat different from the original bill I believe it still achieves its aims and fulfils the commitment I made in my speech last year about bringing greater integrity to and comprehensive reporting on government land acquisitions. We believe that transparency, accountability and rigour are necessary for all government acquisitions, and this bill has enshrined these principles in legislation for the first time in the ACT. We have seen too many secret deals where the purpose of the acquisition has been unclear, the compensation paid has been unknown or there has simply been a lack of documentation and due process. The Auditor-General has

extensively investigated a number of land deals, and the government has on a number of occasions failed to meet the minimum standards expected by the audit office and the wider community.

This bill does not create an administrative burden; it simply requires the minister to make available the due diligence on which every acquisition should be based. The reporting of a brief summary of the business case for each acquisition ensures that the government spending that has occurred can be scrutinised in an appropriate way. Not only will this provide more information but I hope that it will also raise the standard within the government of what information should be processed prior to an acquisition being made.

In a similar way as ICAC, by nature of it being a reactive body, this will hopefully prevent dodgy things happening, I hope that the reactive reporting outlined in this bill will also prevent bad administration occurring as well. We believe that any expenditure of public funds should be undertaken only after careful consideration of all the information available and that these decisions should stand up to scrutiny.

While this legislation does not completely eliminate the possibility that something untoward could occur, it significantly reduces the risk that decisions can or will be made without proper justification and without accountability. Every time an acquisition will be made, it will now be reportable. That is a good step forward for the territory.

I would particularly like to thank the Parliamentary Counsel's Office for all their hard work behind the scenes, including their efforts as late as this afternoon, to have these amendments ready prior to today's debate. The staff working on this bill in Parliamentary Counsel's Office have been particularly patient, insightful and accommodating to all parties and they have expended exceptional effort to get both the bill and the amendments ready today. Their work really is of a very high calibre.

I also want to thank the public servants and Assembly advisers from all parties who have devoted considerable time to getting this legislation to this point today and I particularly want to thank Ausilia in my office, who has done a huge amount of work and a huge amount of communication and negotiation on behalf of the opposition. I think the fact that we are debating this and that we now will have this act of parliament in operation is largely due to the work that she has done. I also want to thank Ms Rafferty for her work in preparing the cheat sheet for today, which was no easy feat.

In closing, I would like to say that the Canberra Liberals will continue to do all we can to ensure that there is more integrity in the ACT government, and I look forward to bringing on more legislation that will help bring about more transparency and more scrutiny on behalf of ACT taxpayers.

**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) (5.42): In conclusion too, I would like to thank Mr Coe and

Ms Le Couteur and their offices for collaborating with government to come to an agreement on this bill. I would also like to thank PCO, my directorate officials as well, Blair in my office for his patience—a fantastic job—and of course Janice in the Clerk's office for their help during this as well.

The bill of course now being amended with the government amendments will be effective and focused. It will avoid excessive red tape and result in a more informed community.

**MS LE COUTEUR** (Murrumbidgee) (5.42): I would also like to put on the record my thanks to all the people who have worked very hard on this, particularly of course Jason in my office. I do appreciate the even larger amount of time Ausilia has put in, also Blair's contribution and the work of PCO, which clearly has been on a 24-hour basis, unfortunately. I look forward to this being a new era of transparency for the ACT government and hope that we do not see any of the issues of the past.

Remainder of bill, as a whole, as amended, agreed to.

Bill, as amended, agreed to.

## **Adjournment**

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

That the Assembly do now adjourn.

## **Girls takeover parliament**

**MS LAWDER** (Brindabella) (5.43): On the week of 8 to 12 October I was really pleased to take part once again this year in the girls takeover parliament program, and I welcomed Eleanor Cooper to my officer. Eleanor is a student at the ANU. For the week she shadowed me and took part in many of the activities I would normally undertake on a day-to-day basis, and she undertook a lot of those on my behalf. We went to a range of community events, doorknocked, letterboxed, had a mobile office, wrote speeches, had media interviews, put out social media posts and we did many of the other things a general week in an MLA's office involves.

The girls takeover parliament program is a bipartisan innovative program that pairs young girls and women with politicians to ensure that the voices and opinions of young girls and women are heard. It encourages them to think about politics into the future. It is a program on a mission to show the world the benefits of using and unleashing the potential of girls and to inspire more women and girls to enter politics. It is chosen to take place at that particular time of the year to coincide with the International Day of the Girl Child, which takes place on 11 October.

Eleanor was joined by 18 other young Canberra women in the ACT Legislative Assembly takeover. Women and girls globally comprise only 23.8 per cent of parliamentary positions, quite different to the case in the ACT. I would also like to thank former senator for the ACT the Hon Margaret Reid for speaking with a number



of the girls on the day about her political career, and former ACT Chief Minister Kate Carnell who also came in. She was the first female Liberal Chief Minister.

Thank you and congratulations to all MLAs who participated in girls takeover parliament. On our side it included Alistair Coe, Andrew Wall, Elizabeth Lee, Mark Parton, Candice Burch, Elizabeth Kikkert and me. Eleanor said she was amazed at the breadth of work and responsibilities an MLA has. She found that really eye-opening—from representing individual Canberrans about local issues such as broken footpaths or the state of their local playground right through to examining legislation that may affect all Canberrans on issues such as political integrity, safety, education and other community issues.

I express my appreciation to Eleanor for sharing the week with me. I also express my appreciation to the co-founders of Jasiri Australia, who ran the program. They include Caitlin Figueiredo and Ashleigh Streeter-Jones and all the young women and girls who have worked with them since the establishment of Jasiri Australia. Girls takeover parliament is a great way of encouraging girls and young women to take an active part in our democratic institutions, and it was a delight for me to have such a capable and engaged young woman experience the work in my workplace. The other young women I met who worked in other MLAs' offices were equally capable and delightful. I encourage all members to take part in this great initiative in the future.

### **Health—cancer treatment**

**MS CODY** (Murrumbidgee) (5.47): I do not have cancer. It is the first time in 10 years I have been able to say that, so let me say it again: I do not have cancer, and it is brilliant. I used to have cancer and that was awful. I remember being diagnosed. At that time in my life I was young and carefree. Well, actually, I was a single mum running around with two very young boys while working full time. It was late November 2008 and I had chucked a sickie, so off I went to my GP to get a medical certificate.

I had a cold and I thought I should get my asthma medication checked. As the doctor checked my lungs he saw the melanoma. Yes, in the middle of my back was a melanoma. I had never been in the sun, so I did not really trust what he was saying. But after another opinion the spot was removed straight away and then I got the news—grade 4 melanoma and time for bigger surgery. It was only two weeks until Christmas and I had to have emergency surgery, resulting in 42 stitches in my back. Unfortunately, because I was a little slow in taking my GP's advice, it had spread. With some pretty awful treatment and a further five years or so of more check-ups and more removal of melanomas, it has been a very long 10 years.

Yesterday I finally got the all clear, and I am excited. When I hear the debates in here about ACT Health from the opposition I must say that I am very confused. My experience is so fundamentally different from the pessimism they present. I am here today because socialised medicine is a brilliant idea. Medicare is good for the country, and ACT Health is full of professional staff who do an amazing job.

Before someone sets up an inquiry into MLAs getting special treatment, I was sick a long time before I came here, and there has not been any change to the excellent service I have received since I got here. If anything, it has been an inconvenience which they have managed with the same expertise with which they approach every challenge.

So thank you to every single person who has helped me through my 10-year journey with cancer. Cancer sucks. But a top quality public health system is brilliant. I thank the professional ACT Health staff for all they have done to make sure I can stand in this place today and give this speech and help the Barr Labor government make great laws to protect Canberrans.

In the last 30 seconds before I sit down and give others a chance to speak, I want to take this time as a reminder to members of the community and in this place to please get your skin checked. Australia and Canberra have the highest incidence of melanoma and skin cancers. Having a skin check is easy to do; many clinics and GPs offer services, and it really can save a life to take care and slip, slop, slap.

### **Woden Valley RSL Sub-branch**

**MR HANSON** (Murrumbidgee) (5.51): I rise tonight to pay tribute to the Woden Valley RSL Sub-branch. The sub-branch was first established as the Yarralumla sub-branch in 1954 and has since been serving veterans for about 65 years. With a continuing focus on its members and widows and widowers, the sub-branch has increasingly supported non-member veterans and their families in the ACT and region.

A few years ago the sub-branch established a veterans support centre, through which it delivers a number of services to local veterans. This support includes assisting veterans and families with claims and appeals to the Repatriation Commission and the Veterans Review Board, and subsequently assisting them to access the resources that they need to live well. The sub-branch engages with members of our local community, including the ageing community, through the Eddison Day Club and visits to aged-care facilities, hospitals and home visits. The sub-branch also engages with younger members of the community through the Anzac and Peace Ceremony conducted at Eddison Park, involving local schools.

The sub-branch conducts a number of local commemorative services, including Anzac Day, which is great for those unable to attend the service at the War Memorial. I recall turning up to my first Anzac Day service with the sub-branch over a decade ago, as I was transitioning out of Defence, and being made instantly welcome. I have been a member of the sub-branch since then. The sub-branch has about 600 members and delivers the bulk of its services and support through hardworking volunteers.

I would like to thank those hardworking members of the Woden Valley sub-branch, many of whom have been active for decades, looking after their fellow veterans and their families, including, of course, the president, Jim Gilchrist; the deputy president, Brooke Thorpe; the secretary, Greg Kennett; the treasurer and fundraiser, Jan Properjohn; Chris Hammond, Joyce O'Brien and Alex Solecka, the hardworking staff;

the veterans support centre staff, including Florence Sofield, Rani Kalimeris, Andrew Properjohn, and Lynnda Livesey.

I would like to thank Peter Eveille. Peter has volunteered with the veteran community for more than 45 years, including a stint as the branch president. I thank Ross Thomas and other pension officers and advocates—Kathleen Craig, Margaret Lax, Dave Jeffery, Brian Alabaster, Arnie Vereschild, Smokie Dawson and Hilton Lennard, as well as a number of trainees who have been working with them. Sadly, one of the most effective and prolific advocates, Ralph Sullivan, a former colleague of mine in Army headquarters, passed away a few months ago.

I would also like to thank Alex Reynolds, Jack Aaron, Quinton and Cynthia White and many others who all do hospital visits and undertake other tasks to support our members and others. I would like to thank Peter Sutton—who is well known for volunteering with the RSL, as well as Lifeline and Vinnies—Reg Gillard, Ian Gollings, Bill Spaven, Merna Gillard, Shirley Gollings, Max Brennan and John Kent. I would also like to thank Bob Cremer, the long-time editor of *The Serviceman*, which is the sub-branch magazine—and photographer, reporter, director and volunteer for just about everything.

With respect to the Anzac and Peace Ceremony essay competition, I would like to thank Bill Smith, Mike Taylor, Andre Bobets and Greg Kennett. I thank the funeral tributes team—Peter MacFetters, Peter Dinham, Jack Aaron, Bill Smith, Alex Reynolds and Rob MacAulay. I would like to thank Bill Smith, Peter Dinham, Neil Horn and Mike Taylor, who have all contributed to the sub-branch over many years and who continue to be a source of advice and assistance to members for all sorts of reasons. To all of the other members and volunteers: thank you and well done for all that you do for our veterans community.

### **Miss Africa Canberra**

**MRS KIKKERT** (Ginninderra) (5.56): Although Africa is sometimes mistakenly thought of as a single country, it is actually the world's second-largest continent in both area and population. The land mass is characterised by great diversity in both geography and people. To give just one example, its 1.2 billion inhabitants speak more than 1,500 languages. These numbers are matched by Africa's cultural diversity.

Canberra is fortunate to have a growing population of residents who were born in Africa or who trace their ancestry there. Events that showcase our African multicultural communities are increasingly common. This past April, for example, saw the launching of the territory's first Africa Party in the Park—an opportunity to enjoy African food, arts, fashion, music and dance. This was followed by the African Australian awards dinner, which is now held in Canberra each year. This celebration recognises the tireless service of many individuals. This year the program also featured the Watoto Children's Choir from Uganda as special guests. I congratulate Charles Koker, the coordinator of the event, and his team on putting together such a moving celebration of the many contributions that African Australians make to our city.

Another new event was launched one month ago, on 29 September. The Miss Africa Canberra pageant was staged to celebrate the cultural diversity of the capital's young African Australians, and to bring the whole community together for an evening of fun and cultural exchange. Differently from other pageants, contestants were invited to model traditional dress, in addition to sharing their talents and knowledge. The organisers of this event saw it as an opportunity to encourage African Australians who were born here or who primarily grew up here to reconnect with their families' cultures and traditions.

I rise today to congratulate Mr Kofi Osei Bonsu and his team on putting together a thoroughly enjoyable spectacular. I also wish to thank them for kindly extending to me an invitation to participate. Over 350 people attended on the evening, and the mood was one of jubilation. I loved seeing the contestants from various African nationalities honouring their heritage through beautiful clothing inspired by traditional African styles, as well as through their performances. The diversity in colour and design was a delight to the eye. More important, however, were the contestants' answers to the judging panel's questions, proving that they all had massive hearts, filled with charity and a deep desire to reach out and help others. I was inspired by each of these young women.

The winner of the pageant epitomises this inspiration. Nettie Kamanda was born the eldest of six children in the west African nation of Liberia and survived not one but two civil wars before the age of nine. Thankfully, she and her family then found welcome refuge here in Australia. "It doesn't matter what your family circumstances were nor what you have been through," she said, "because the past is a lesson and not a sentence." She also paid great tribute to the importance of her family and their faith and principles by saying, "If you instil the right values in a girl while she is still young, she will grow into a strong woman, because no matter how tough life may be, she will always move forward because of that strong foundation." I have no doubt that she will benefit greatly from the professional internship that has been offered to her as the winner of this event.

I have repeatedly stated in this space that the richness of our multicultural communities makes Canberra stronger. I think we can clearly say that this is the case when we consider the example of Ms Kamanda and the other strong, resilient, capable and beautifully diverse young women who showcased the wonders of Africa at this recent event. I understand that the organisers are already busy planning next year's pageant and other similar events. I greatly look forward to these and to seeing our African communities assume an ever larger role in the social and civic life of this territory.

### **Youth Dance Festival**

**MS CHEYNE** (Ginninderra) (6.00): Canberra's arts scene is ever growing, with an abundance of creatives of all ages. On Friday, 21 September I was invited to attend the Youth Dance Festival. I would first like to extend a very heartfelt congratulations to the manager of Ausdance ACT, Ms Emma Dykes, for an amazing show and a phenomenal festival over three days. This is the event's 34th year. It showcased the

talents of more than 1,200 of Canberra's high school and college students, proving that there is no shortage of talent in this city.

It was inspiring to see so many young people given the opportunity to dance in a professional theatre environment at the Canberra Theatre. And, as a local member for Ginninderra, I was particularly impressed—but there is no bias here—with performances from Radford College, Hawker College, Kingsford Smith School and UC Senior Secondary College Lake Ginninderra.

The Radford College performances, *One Tribe* and *Brave*, expertly explored the role of unity and authenticity in society. *Mic Drop* was a phenomenal routine that perfectly summed up the event and left the audience to reflect on what it means to make your mark.

I congratulate those involved in each dance: from *One Tribe*, Sonja Brodersen, Lara Clements, Ashlyn Davis, Honour Davis, Alicia Freemantle, Heather Gellatly, Justine Hobson, Tayla Holmik, Madeline Nguyen, Phoebe O'Halloran, Niamh Pascoe, Sophie Porteous, Sarah Quilty, Izzy Rankin, Madeleine Sadleir, Emily Sampson, Hannah Sampson, Abigail Sellars, Athena Staughton, Sacha Zerger, teacher Maddie Jarosz and student choreographers Emily Noud and Kali Yates; from *Brave*, Connor Boyce, Ruby Ewens, Sarah Gan, Mackenzie Hazlehurst, Ellen Holt, Zarah Jagers, Tanya Lee, Caitlin Lilley, Luiza Luppi, Aeden Maguire, Rebecca Majchrzak, Olivia Malouf, Elodie Scott, Jas Sun, Charlotte Taylor, Jazzy Webb, Jiani Yang, Elissa Youill, teacher Holly Cuddy and student choreographers Nikki Rossendell, Maddison Scott and Anjelica Nikias; and from *Mic Drop*, Nicky Boyce, Nikita Chandekar, Taylor Colvin, Matthew De Bortoli, Mia De Bortoli, Annabelle Ferrington, Josie Gouvoussis, Julie Hood, Annie Ioannou, Anita Ipalawatte, Georgia Kennedy, Patrick Knight, Jaime Le, Annie Liao, Eliza Malouf, Bec Manton, Maddie Moss, Lydia Murray—it was a very big performance—Emily Naumann, Anjelica Nikias, Emily Noud, Alisa Onorato, Teresa Pelle, Alice Plummer, Blake Reid, Lachlan Sampson, Noah Sampson, Maddison Scott, Anastassia Storozhev, Vivi Tran, Stephanie Trinh, Mirrie van Dijk, Fi Wang, Kat-E Yeow, Bella Zardo, teacher Danielle White and student choreographers Mia De Bortoli and Kat-E Yeow.

From Hawker College, *Ripple Effect* was a powerful performance that captured the importance of being kind and careful when making our mark on the world. The complex themed and evocative routine was a testament to the students' skill and ingenuity. I congratulate Farishta Aqel, Caitlin-Ann Barrow, Chelsea Brewer, Julia Chan, Tayla Clarke, Taylah Gillespie, Bridget Grame, Alexandra Harington, Sarah Hatherly, Shelly Kang, Tatiana Richards, Holly Smith, Zali Starkis, Lily Stokes, Jessica West, Tayla Wood, teacher Meagan Tanielu and student choreographers Lily Stokes, Sarah Hatherly and Alexandra Harington.

Kingsford Smith School's performance, *Power of Formation*, was all about channelling your inner Beyonce. In a world where society has the power to destroy your self-esteem, the dance demonstrated the importance of a solid support network. I congratulate Janat Alasari, Anni Ingram, Bea Brockmeyer, Jade Beatty, Aaron Jackson, Lillian Liefing, Jasmin Mecham-Crane, Sarah Pendlebury, Deanna Gifford, Ashley Carter and teacher Dzintra Jones.

From UC Secondary College Lake Ginninderra, *Lit Up* was a moving performance that highlighted the importance of empowering and supporting each other. I am sure, Madam Speaker, you would agree that that is an incredibly good message to send. I congratulate Euphemia Chiriso, Sophie Ewens, Miracle Kamara, Ruby Gluhak, Willietta Grant, Amy Lancaster, Emma Mackay, Jayde Marriott, Achan Matot, Jessica Palomar, Jake Purvis, Christopher Rossel, Katie Young and teachers Dale Thain and Karinne Campbell. (*Extension of time granted.*) And I congratulate student choreographers Euphemia Chiriso, Sophie Ewens, Willietta Grant, Miracle Kamara, Amy Lancaster and Katie Young.

The Youth Dance Festival is an incredibly prominent event in the Canberra arts scene. I am sure the Assembly can agree that this is an impressive program which has a huge impact on the lives of participants and their audiences. I cannot wait to see what they will do in their 35th year.

Question resolved in the affirmative.

**The Assembly adjourned at 6.06 pm until Tuesday, 27 November 2018, at 10 am.**

## Schedules of amendments

### Schedule 1

#### Government Agencies (Land Acquisition Reporting) Bill 2018

##### Amendments moved by the Minister for Planning and Land Management

1

##### Clause 2

Page 2, line 5—

*omit clause 2, substitute*

2

##### Commencement

- (1) This Act (other than section 5 (1) (e) and section 6 (e)) commences on 1 January 2019.

*Note* The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

- (2) Section 5 (1) (e) and section 6 (e) commence on 1 July 2019.

2

##### Clause 5

Page 3, line 2—

*omit clause 5, substitute*

5

##### Meaning of *government agency*

- (1) In this Act:

*government agency* means—

- (a) an administrative unit; or
- (b) a public sector body; or
- (c) a territory authority; or
- (d) a territory instrumentality; or
- (e) a territory-owned corporation.

- (2) However, *government agency* does not include the University of Canberra.

3

##### Clause 6 (c)

Page 3, line 18—

*omit clause 6 (c), substitute*

- (c) for a territory authority—the Minister allocated responsibility for the Act under which the authority is established under the administrative arrangements under the *Public Sector Management Act 1994*, section 14 (1) (b); and
- (d) for a territory instrumentality—the Minister declared as the responsible Minister for the territory instrumentality's annual report under the *Annual Reports (Government Agencies) Act 2004*, section 12; and
- (e) for a territory-owned corporation—the Chief Minister.

## 4

**Proposed new clause 6A**

Page 3, line 20—

*insert***6A Meaning of *land acquisition***

(1) In this Act:

***land acquisition***—

- (a) means an acquisition of land by a government agency; and
- (b) includes—
  - (i) an acquisition under the *Lands Acquisition Act 1994*; or
  - (ii) a surrender of a Crown lease, or part of the land comprised in a Crown lease, under the *Planning and Development Act 2007*, section 299, whether or not the acquiring government agency agreed to accept the surrender; or
  - (iii) the withdrawal of land from a Crown lease under the terms of the lease; or
  - (iv) a termination of a Crown lease under the *Planning and Development Act 2007*, section 382; or
  - (v) any other acquisition of land by a government agency required under a territory law; or
  - (vi) an acquisition prescribed by regulation.

(2) However, ***land acquisition*** does not include—

- (a) an acquisition of land by a government agency from another government agency; or
- (b) an acquisition prescribed by regulation.

**Example—par (a)**

as a result of a change to the functions of an administrative unit made under the *Public Sector Management Act 1994*, s 14

(3) In this section:

***declared land sublease***—see the *Planning and Development Act 2007*, section 312C.

***land***—

- (a) means the legal or equitable estate in land in the ACT or elsewhere; and
- (b) includes—
  - (i) unleased territory land; and
  - (ii) anything prescribed by regulation; but
- (b) unless otherwise stated by regulation, does not include—
  - (i) a sublease of a Crown lease other than a declared land sublease; or
  - (ii) any other tenancy or occupancy right; or
  - (iii) an easement or any other incorporeal right.

*Note* An incorporeal right is an intangible right attached to land, and in addition to easements, includes rents, tithes and profit à prendre.



5

**Clause 7**

**Page 4, line 2—**

*omit clause 7, substitute*

7

**Publication of reports about land acquisitions etc**

- (1) As soon as practicable after the end of each quarter, the responsible Minister for a government agency must publish on an ACT government website—
  - (a) if the government agency made a land acquisition in the quarter—a report about the acquisition that includes the matters mentioned in section 8; and
  - (b) if the City Renewal Authority made no land acquisitions in the quarter—a statement to that effect; and
  - (c) if the Suburban Land Agency made no land acquisitions in the quarter—a statement to that effect.
- (2) After a report mentioned in subsection (1) (a) about a land acquisition is published, the responsible Minister must give the relevant committee a copy of the report.
- (3) In this section:  
*relevant committee* means—
  - (a) a standing committee of the Legislative Assembly nominated by the Speaker for subsection (2); or
  - (b) if no nomination under paragraph (a) is in effect—the standing committee of the Legislative Assembly responsible for public accounts.

6

**Clause 8 (1)**

**Page 5, line 2—**

*omit*

an acquisition of land

*substitute*

land acquisition by a government agency

7

**Clause 8 (1) (a) (iii)**

**Page 5, line 6—**

*omit clause 8 (1) (a) (iii), substitute*

- (iii) from whom the land was acquired; and

8

**Clause 8 (1) (d)**

**Page 5, line 12—**

*omit clause 8 (1) (d), substitute*

- (d) for a defined land acquisition, include—
  - (i) any valuation given to the acquiring government agency by the person from whom the land was acquired; and
  - (ii) any other valuation considered by the acquiring government agency; and

**9****Clause 8 (1) (e)****Page 5, line 19—***omit clause 8 (1) (e), substitute*

- (e) for a defined land acquisition, state—
  - (i) whether the acquisition was—
    - (A) approved by the Executive, a stated Minister or a public servant; or
    - (B) agreed by Cabinet; or
  - (ii) if the acquisition was approved by a public servant—the position of the public servant; and
  - (iii) the date the acquisition was approved or agreed; and

**10****Clause 8 (1) (f) and note****Page 5, line 24—***omit clause 8 (1) (f) and note, substitute*

- (f) for a defined land acquisition, include a short statement about the following:
  - (i) the reason why the land was acquired including the proposed and potential short and long term use and development of the land;
  - (ii) how the proposed use and development of the land is consistent with the territory plan;
  - (iii) how the acquisition is in the public interest;
  - (iv) how the acquisition is consistent with the functions of the acquiring government agency;
  - (v) if relevant, how the proposed use and development of the land supports the principle of environmental sustainability;
  - (vi) if the acquiring government agency has a statement of intent—how the acquisition is consistent with the agency's statement of intent, or other relevant forecasts, for the year;
  - (vii) how the acquisition represents value for money taking into account the particulars of the land, any valuation, the proposed and potential short and long term use and development of the land, relevant policies and programs of the acquiring government agency or the Territory; and

**11****Clause 8 (1) (g)****Page 6, line 13—***omit***12****Clause 8 (1) (h)****Page 6, line 17—***omit***13****Clause 8 (1) (i) and note****Page 6, line 23—***Omit*

14

**Clause 8 (1), examples and note**

**Page 7, line 2—**

*omit*

15

**Clause 8 (2)**

**Page 7, line 14—**

*omit clause 8 (2), substitute*

- (2) Section 8 (1) (c) does not apply to an acquisition under the *Lands Acquisition Act 1994* that is not made under that Act, section 32 (Acquisition by agreement).

16

**Proposed new clause 8 (3)**

**Page 7, line 16—**

*insert*

- (3) A report may include any other information the responsible Minister considers relevant.

**Example**

information from a business case or risk assessment

17

**Proposed new clause 8 (4)**

**Page 7, line 16—**

*insert*

- (4) In this section:

***defined land acquisition*** means a land acquisition other than an acquisition mentioned in section 6A (1) (b).

18

**Clause 9**

**Page 7, line 17—**

*omit clause 9, substitute*

**9**

**Certain information must not be included in reports or statement**

- (1) This section applies to a report under section 7 (1) (a) about a land acquisition by a government agency.
- (2) For an acquisition of land from an individual, the individual's name must not be included in the report or statement, and must be removed from any document attached to the report or statement.
- (3) For—
- (a) an acquisition of land to be developed or used as—
    - (i) a housing assistance property; or
    - (ii) a facility to provide a service for community health or safety, if the Minister has declared, in writing, that disclosure of identifying particulars would risk an adverse impact on the privacy or reputation of potential users of the facility; or
  - (b) an acquisition of land under a land rent lease; or
  - (c) an acquisition of land prescribed by regulation;

the only identifying particular of the acquired land that may be included in a report or statement is the district in which the acquired land is located and any other identifying particulars of the land must be removed from any document attached to the report or statement.

- (4) Subsection (3) does not apply if the information has entered the public domain.
- (5) For an acquisition of land under a land rent lease, information that must not be disclosed by a tax officer under the *Taxation Administration Act 1999*, division 9.4 (Secrecy) must not be included in the report or statement, and must be removed from any document attached to the report or statement.

- (6) In this section:

*district* means a district determined under the *Districts Act 2002*, section 5.

*housing assistance property*—see the *Housing Assistance Act 2007*, section 28 (2).

*land rent lease*—see the *Land Rent Act 2008*, dictionary.

*tax officer*—see the *Taxation Administration Act 1999*, section 94.

19

**Clause 10**

**Page 8, line 1—**

*[oppose the clause]*

20

**Clause 11**

**Page 8, line 18—**

*[oppose the clause]*

21

**Proposed new part 4A**

**Page 11, line 5—**

*insert*

**Part 4A Transitional**

**13A Acquisitions made before 1 January 2019**

A government agency is not required to report on a land acquisition made—

- (a) under an agreement entered into before 1 January 2019; or
- (b) by a surrender of a lease, or part of the land comprised in a lease, consented to under the *Planning and Development Act 2007*, section 299 (1) before 1 January 2019.

**13B Expiry—pt 4A**

This part expires on 1 July 2019.

*Note* Transitional provisions are kept in the Act for a limited time. A transitional provision is repealed on its expiry but continues to have effect after its repeal (see Legislation Act, s 88).

22

**Dictionary, note 2, dot points**

**Page 12, line 6—**

*omit the following dot points*

- body
- corporation
- head of service

- sitting day
- territory plan.

23

**Dictionary, note 2, proposed new dot points****Page 12, line 19—***insert the following dot points*

- administrative unit
- Executive
- public servant
- territory instrumentality
- territory land
- territory-owned corporation

24

**Dictionary, definition of *land*****Page 12, line 23—***omit*

25

**Dictionary, proposed new definition of *land acquisition*****Page 12, line 23—***insert****land acquisition***—see section 6A.

26

**Dictionary, definition of *territory entity*****Page 12, line 25—***omit***Schedule 2****Government Agencies (Land Acquisition Reporting) Bill 2018**

Amendments moved by Mr Coe (Leader of the Opposition) to the amendments moved by the Minister for Planning and Land Management

1

**Amendment 1****Clause 2***omit clause 2, substitute*

2

**Commencement**

- (1) This Act (other than the following provisions) commences on 1 January 2019:

section 5 (1) (e)

section 6 (e)

part 6.

*Note* The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

- (2) The provisions mentioned in subsection (1) commence on 1 July 2019.

2

**Amendment 9**

**Clause 8 (1) (e) (i)**

*omit clause 8 (1) (e) (i), substitute*

- (i) which Minister, if any, considered written advice from a government agency on the acquisition prior to approval; and
- (ia) whether the acquisition was considered by Cabinet; and
- (ib) if the acquisition was considered by Cabinet, the date on which it was considered; and
- (ic) who approved the acquisition; and

3

**Amendment 17**

**Proposed new clause 8 (4), definition of *defined land acquisition***

*omit the definition, substitute*

***defined land acquisition*** means a land acquisition other than an acquisition mentioned in section 6A (1) (b) (ii) to (vi).

---

**Schedule 3**

**Government Agencies (Land Acquisition Reporting) Bill 2008**

Amendments moved by Mr Coe (Leader of the Opposition)

1

**Clause 8 (1) (c) (i)**

**Page 5, line 10—**

*after*

paid

*insert*

or payable

2

**Clause 8 (1) (c) (ii)**

**Page 5, line 11—**

*after*

paid

*insert*

or payable

3

**Clause 8 (2)**

**Page 7, line 14—**

*omit clause 8 (2), substitute*

- (2) For an acquisition made under the *Lands Acquisition Act 1994*, if the amount paid or payable is not known at the end of the quarter the report—
  - (a) must state that the information is not yet known and that the report will be updated when the information is known; and

- (b) must be updated to include the amount paid or payable as soon as practicable after the amount is known.
- 

## Schedule 4

### Government Agencies (Land Acquisition Reporting) Bill 2018

Amendment moved by Mr Coe (Leader of the Opposition)

1

Proposed new part 6

Page 11, line 5—

*insert*

#### Part 6 Delayed amendment

##### 15 Government Agencies (Land Acquisition Reporting) Act 2018 Section 6A (3), definition of *land*

*substitute*

***land*—**

- (a) means the legal or equitable estate in land in the ACT or elsewhere; and
- (b) includes—
  - (i) unleased territory land; and
  - (ii) an easement other than an easement prescribed by regulation; and
  - (iii) anything prescribed by regulation; but
- (c) unless otherwise stated by regulation, does not include—
  - (i) a sublease of a Crown lease other than a declared land sublease; or
  - (ii) any other tenancy or occupancy right; or
  - (iii) any other incorporeal right.

*Note* An incorporeal right is an intangible right attached to land, and in addition to easements, includes rents, tithes and profit à prendre.

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## Answers to questions

### Health—medical research (Question No 1720)

**Mrs Dunne** asked the Minister for Medical and Health Research, upon notice, on 21 September 2018:

- (1) How many staff in the Minister's (a) office and (b) Directorate will be working on medical and health research related issues.
- (2) How many officers in the Canberra Hospital and Health Services will be working on medical and health research related issues.
- (3) Will all staff working on medical and health research be (a) suitably skilled in conducting research; if no or not necessarily, why and (b) appropriately qualified in the medical and health fields; if no or not necessarily, why.
- (4) What is the 2018-19 budget for medical and health research and how will that budget be funded; if it is to be funded from existing resources, what other areas of health will be impacted; if it is an expense initiative, where can the details be found in Budget Paper No 3.
- (5) Where will the portfolio be accommodated after the Health Directorate is split.
- (6) What relationship will medical and health research have with the National Health and Medical Research Council.
- (7) How will any overlapping work be identified and managed.

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

- (1)(a) The Minister's Office has four staff providing advice on a range of issues relating to her portfolio responsibilities, including medical and health research.
- (b) This is unable to be quantified as research is an integral part of the health service. All staff (medical and administrative) may be involved in some form of research related to medical and health related issues at any point in time. The main resource for the Health and Medical Research Ministry is located in the Health Directorate with the Office of Research.
- (2) This is unable to be quantified as research is an integral part of the health service. All staff (medical and administrative) may be involved in some form of research related to medical and health related issues at any point in time. The main resource for the Health and Medical Research Ministry is located in the ACT Health Directorate with the Office of Research.
- (3)(a) The Office of Research will ensuring appropriately skilled staff are part of research teams to deliver high quality research.
- (b) Research teams focused on clinical questions will require an appropriately qualified staff in the relevant medical or health field.
- (4) The 2018-19 budget for the Office of Research is funded from existing resources.



- (5) The portfolio will be accommodated within the ACT Health Directorate.
  - (6) The relationship will be similar to that of other state and territory jurisdictions around Australia. The ACT Government will continue to contribute to national and state/territory/commonwealth initiatives/forums/committees.
  - (7) Governance processes will ensure collaborative management, to ensuring the highest quality research is conducted efficiently.
- 

### **Hospitals—emergency waiting times (Question No 1725)**

**Mrs Dunne** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) When did the Minister first become aware that emergency departments were unlikely to meet the target of 70 percent of presentations seen on time.
- (2) What action did the Minister take in response.
- (3) Can the Minister provide in graphic form, the weekly number of presentations since 1 September 2017 (a) at each emergency department and (b) in aggregate for the ACT.
- (4) Can the Minister provide in graphic form, the weekly percentage of presentations completed within four hours since 1 September 2017 (a) at each emergency department and (b) in aggregate for the ACT.
- (5) What is the national benchmark target for the percentage of emergency department presentations completed within four hours.

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

- (1) There are two targets related to timeliness in the Emergency Department: 1) the percentage of Emergency Department presentations that are treated within Clinically Appropriate Timeframes, separated into triage categories 1 to 5, and 2) the percentage of Emergency Department presentations where the length of stay in the Emergency Department is four hours or less (the National Emergency Access Target – NEAT).

I am made aware of Emergency Department performance through regular reports provided to me throughout the year. The Annual Report provided final results for ED performance in the 17-18 year.

- (2) Additional funding has been provided for more ED staff. This will be used to increase the number of senior clinical decision makers on evening and overnight shifts. This additional resource will support timely admission and discharge of patients presenting late in the day and overnight. Parallel to this, focused medical team modelling will be revisited, which will assist in driving ED operational performance.

NEAT performance is affected by seasonal demand. The CHHS Winter Management Plan 2018 (the Winter Plan) commenced on 1 July 2018 and will be operational until 30 November 2018. As part of this plan, 72 additional beds have been opened across the hospital (with a further 12 flexible paediatric beds).

The “How Can I Help You” communication strategy introduced in mid-2017, focuses on multidisciplinary communication and collaboration between teams at the Canberra Hospital. This program was designed to encourage clinical staff to offer assistance to other clinicians for a coordinated care approach when all teams are under pressure. This assists to reduce the time for referral and therefore the time spent in ED.

Significant work has also been done to improve the safe and timely discharge of patients. For example:

- A daily long stay report is sent to key senior staff that identifies patients who have a hospital stay of more than 30 days. Clinical teams review this list with a view to identifying impediments to discharge and actioning these appropriately.
- Health Round Table (HRT) data has been used actively by senior clinical and non-clinical staff since September 2017, to identify operational performance by clinical unit. Clinical units are then asked to use this data to monitor ongoing improvements in the average length of stay of patients.
- The Electronic Patient Journey Board (EPJB) provides an efficient and effective way of highlighting the critical steps in the patient’s journey. The EPJB will feature a new clinical tasking tool to be piloted from October / November 2018. The tool allows clinical and non-clinical tasks to be requested and actioned from any electronic platform within the hospital removing the need for lengthy paging processes, and improving overall operational performance.
- The Chief of Clinical Operations sends a daily text message to all senior staff providing an update on the current status of the hospital. This messaging includes hospital occupancy, the number of patients within the ED, the number of patients requiring admission, and a reminder for the safe and timely discharge of patients.
- Significant work has been done to improve weekend discharging over the last 12 months. This work has resulted in significant improvements in weekend discharge performance.
- CHHS continues to focus on the safe and timely discharge of patients before midday. Education remains ongoing around the 6 Ps of discharge (proven discharge practices) including planned discharge date for each patient, prioritising ward rounds, and planning for pharmacy and pathology.

(3) Please see Attachments A and B.

(4) Please see Attachments C and D.

(5) There is no longer a national benchmark or target for the percentage of Emergency Department presentations completed within four hours due to the cessation of the Improving Public Hospitals component under the National Health Reform Agreement in 2015-16.

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

**Government—directorate staffing  
(Question No 1726)**

**Mrs Dunne** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) In reference to the answer given to question on notice No 1439 at part (a), for each year, what was the expenditure for (a) executive officers and (b) senior officers on (i) salaries, (ii) on-costs and (iii) personal staff.
- (2) To what extent were increases in numbers and costs for executive and senior staff for each year covered in the budget for that year.
- (3) For each year, to the extent that costs were met from existing resources, from which areas of ACT Health were budget funds diverted to meet the cost and how much was diverted from each area, .

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

- (1) The below table shows the breakdown of Executive Officers (SES Level 1.1 through to Level 3.12), Senior Officers (SOG C to SOG A) and Personal Staff (includes Personal Staff in classifications ASO2 to ASO6):

Financial Year	Classification Group	Total Salary	On costs
2007-08	Executive Officers	\$2,761,084.50	N/A
2007-08	Senior Officers	\$18,413,208.60	N/A
2007-08	Personal Staff	\$317,432.00	N/A
2008-09	Executive Officers	\$3,019,107.84	N/A
2008-09	Senior Officers	\$21,258,905.73	N/A
2008-09	Personal Staff	\$580,497.00	N/A
2009-10	Executive Officers	\$3,444,942.03	N/A
2009-10	Senior Officers	\$25,515,027.22	N/A
2009-10	Personal Staff	\$649,102.00	N/A
2010-11	Executive Officers	\$3,265,418.10	N/A
2010-11	Senior Officers	\$28,408,573.48	N/A
2010-11	Personal Staff	\$816,546.00	N/A
2011-12	Executive Officers	\$3,821,932.63	N/A
2011-12	Senior Officers	\$29,876,622.89	N/A
2011-12	Personal Staff	\$967,633.00	N/A
2012-13	Executive Officers	\$4,053,465.10	N/A
2012-13	Senior Officers	\$33,878,313.79	N/A
2012-13	Personal Staff	\$1,153,264.00	N/A
2013-14	Executive Officers	\$4,372,272.56	N/A
2013-14	Senior Officers	\$36,119,390.37	N/A
2013-14	Personal Staff	\$1,240,488.00	N/A
2014-15	Executive Officers	\$4,488,832.08	N/A
2014-15	Senior Officers	\$37,985,870.19	N/A
2014-15	Personal Staff	\$1,582,985.00	N/A
2015-16	Executive Officers	\$5,439,969.94	N/A

Financial Year	Classification Group	Total Salary	On costs
2015-16	Senior Officers	\$41,555,652.20	N/A
2015-16	Personal Staff	\$1,729,689.00	N/A
2016-17	Executive Officers	\$6,336,484.34	\$255,930.00
2016-17	Senior Officers	\$41,706,234.09	\$3,480,648.00
2016-17	Personal Staff	\$1,687,827.00	N/A
2017-18	Executive Officers	\$7,836,073.35	\$370,832.00
*2017-18	Senior Officers	\$44,797,919.12	\$3,863,552.00
*2017-18	Personal Staff	\$1,687,827.00	N/A

- Please note that the on costs that are not provided are not readily available and extensive time and resourcing would be required to provide this information.
- \* 2018 data is subject to change if the 2018-2021 Enterprise Agreement is agreed to by staff and the Fair Work Commission.

(2) All expenses for increases in staffing were met from within the annual Budget.

(3) Increased funding for executive and senior officers has been funded through annual Budget increases and has not required funding to be diverted from other functions.

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### **ACT Health—staff survey (Question No 1736)**

**Mrs Dunne** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) When does ACT Health and Canberra Healthcare plan to conduct the next staff survey.
- (2) Will the survey include questions on organisational culture, including, but not limited to, bullying, harassment, intimidation, and retributions; if not, why not.
- (3) What other topics will be covered in the survey.
- (4) Will all staff be invited to participate in the survey; if not, why not.
- (5) What response rate is anticipated based on past surveys.
- (6) When will the survey be completed.
- (7) Will the results be made available publicly.
- (8) What changes have resulted as a result of past staff surveys.

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

- (1) The next Workplace Culture Survey for each organisation is likely to be held around six months after the organisational structures of both organisations were established.

- (2) Yes.
- (3) This is yet to be determined.
- (4) Yes.
- (5) Based on previous survey response rates, we anticipate a 50 to 55 per cent response rate.
- (6) See response to question 1. The census period will be approximately three weeks.
- (7) Yet to be determined.
- (8) ACT Health conducted Workplace Culture Surveys in 2005, 2007, 2009, 2012 and 2015. The results of the surveys were comprehensively analysed to determine and inform culture improvement initiatives. Attachment A outlines initiatives undertaken.

#### **Attachment A**

#### **Key Initiatives Undertaken to Address ACT Health's Workplace Survey Results**

##### **2005/2007**

- 1. Organisational values were revised and changed to Care, Excellence, Collaboration and Integrity.
- 2. Revised organisational values were widely promoted and integrated into a number of training programs.
- 3. Development and delivery of new training programs:
  - Management and Leadership Program
  - Creating a Great Workplace – based on revised organisational values
  - Giving and Receiving Feedback
  - Problem Solving and Solution Finding.

##### **2009**

- 1. Revised policy for addressing Bullying and Harassment.
- 2. Roll-out of Respect, Equity and Delivery Framework (from late 2010 onwards).
- 3. Development and delivery of Performance Management Workshops.
- 4. Leadership and Management Development, including:
  - Manager's Orientation program
  - Leadership Network formed.
- 5. Team values, vision and charter workshops.
- 6. Development of the Change Management Framework and Guide.
- 7. Identification and implementation of Division/Branch specific initiatives and activities.

##### **2012**

- 1. Development of Action Planning Guide to help Divisions address results.

2. Roll-out of RED Framework activities.
3. Manager's Orientation revised to especially reference ACT Health Values and the RED framework.
4. Development and delivery of the People Manager Program.
5. Continuation of the Leadership Network.
6. Organisational Development focussed attention on teams/units in particular need based on their survey results.
7. Leadership Development - A comprehensive Leadership Program was procured (Advisory Board Company).

## **2015**

1. Development of Divisional Workplace Culture Action Plans.
2. Development and delivery of Leadership and Management Programs, including:
  - Emerging Manager Program
  - Continuation of CHHS Leadership Program and commencement of the Corporate and Strategy Leadership Program
  - Critical Care Frontline Leadership Program
  - Dynamics of Change Program – Program for managers leading teams through change.
3. Revision of Change Management Guide.
4. Procurement of external consultants (Bendelta) to work with two units in Blame and Culture (Anatomical Pathology and the Anaesthetics Department).

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### **Disability services—government support (Question No 1751)**

**Ms Le Couteur** asked the Minister for Disability, upon notice, on 21 September 2018:

What measures are in the 2018-19 ACT Budget to support people with disabilities to access suitable and affordable housing and transport, service provider facilities, community-based amenities and green spaces.

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

- (1) In 2017-18 Housing ACT spent approximately \$1.69 million on disability modifications to 393 homes. Housing ACT employs three occupational therapists to provide an in-home occupational therapy assessment service to tenants. The service provides professional advice on the disability modifications required to assist tenants with disability to live more independently in their public housing homes and elderly tenants age in place. Over 270 referrals were assessed during 2017-18 ranging from lever taps and handrails to wheel chair ramps and major bathroom modifications, involving over 400 home visits.

Housing ACT has allocated \$1.7 million for the 2018-19 financial year and as of 1 September 2018 had made modifications to 31 properties. Up to the same period,

Housing ACT's Occupational Therapists have accepted 57 referrals and undertaken 112 home visits.

The Government is continuing to focus on incorporating high standards of accessibility and adaptability as public housing grows and renews as part of the Public Housing Renewal Program and then as part of the Public Housing Asset Management Strategy.

Housing ACT makes provisions within its budget to prioritise the construction of public housing accommodation to meet the Class C adaptable housing standards. Adaptable housing ensures people of all ages and abilities can live within the home and it can be easily adapted to meet changing household needs without substantial modifications.

Class C housing must include all essential features of the Australian Standard for Adaptable Housing (AS4299-1995) and be certified by an independent accessibility consultant.

The Affordable Housing Innovation Fund provides funding to support innovative projects that aim to increase the supply of affordable housing for low income households. The 2018-19 Budget provided \$500,000 for phase two projects under the Innovation Fund, of which \$125,000 will be made available for project/s supporting increased accommodation suitable for people with a disability who are also part of a low income household. This program responds to the community engagement on the development of the new ACT Housing Strategy, which identified the need for more dedicated affordable housing for rent or for purchase that incorporated the highest levels of accessibility.

The Innovation Fund will seek expressions of interest from private or community sector participants to come forward with innovative solutions that not only incorporate high levels of accessible design, but will also enable better social inclusion, particularly for persons who may be currently housed in inappropriate accommodation.

In the 2018-19 ACT Budget \$400,000 was set aside over two years for independent individual advocacy for people who require assistance to navigate the National Disability Insurance Scheme (NDIS). Through a single select tender process ACT Disability, Aged and Carer Advocacy Service (ADACAS) and Advocacy for Inclusion (AFI) were each successful in receiving \$200,000 over two years.

The ACT Government made an election commitment to create a new grants program to focus on greater inclusion of people with disability. The Disability Inclusion Grants program provides funding to the community to undertake activities and initiatives which enable greater inclusion.

Following the impressive response to the first round of Disability Inclusion Grants in 2017, the Government doubled the funding to \$100,000 a year in the 2018-19 Budget. Improvements made to service provider facilities, community-based amenities, green spaces and small businesses through the Disability Inclusion Grants Program benefit all members of the community, including people with disability.

The 2018-19 Budget allocated funds to develop a Disability Justice Strategy to recognise and respond to the disadvantage that people with disability face when

dealing with the justice system. Funding of \$390,000 was allocated for two staff, one based in the Community Services Directorate and one based in Justice and Community Safety, to develop the strategy. The 2018-19 ACT Budget also provided an ongoing allocation of \$60,000 in 2018-19 and 2019-20, increasing to \$65,000 in 2020-21 and 2021-22 to Canberra Community Law to provide ongoing support for its Socio-Legal Practice Clinic. The clinic services a large number of people with disability to have greater access to justice.

Ongoing budget allocation through the Flexible Transport Office in Transport Canberra and City Services manages a suite of ACT Government specialised transport services including the network design and operation of Special Needs School Transport (SNT), the Aboriginal and Torres Strait Islander Community Bus and the Flexible Bus Service.

The SNT fleet comprises 18 x 21 seat wheelchair accessible minibuses; and one x 12 seat wheelchair accessible minibus. Two mini buses are used for the Aboriginal and Torres Strait Islander Community program.

The SNT network provides transport to and from ACT public schools for 346 students with disabilities and 53 Introductory English Class students using 41 buses and eight taxis each school day. The service transports students to 45 specialised and mainstream schools Canberra wide. Transport Canberra operates 11 routes in the network, Keirs operates the remaining 30 routes.

The Flexible Bus Service (using the SNT fleet in the middle of the day) provides approximately 300 - 350 passenger movements per week and the Aboriginal and Torres Strait Islander Community Bus service provides approximately 150 - 200 passenger movements per week.

Through the 2018-19 Budget, The Environment, Planning and Sustainable Development Directorate (EPSDD) will be working with a National Disability Insurance Scheme provider to film and produce a series of virtual reality experiences of nature based activities which will be tailored for people with a disability and others who may not be able to access our parks and reserves directly. EPSDD is also undertaking a series of 'accessibility road tests' of our parks. Through these projects, the Directorate will bring together virtual reality and real experiences to people with a disability to ensure their maximum access to our parks and reserves in the ACT.

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### **ACTION bus service—MyWay card (Question No 1833)**

**Miss C Burch** asked the Minister for Transport, upon notice, on 21 September 2018:

- (1) What is the monthly breakdown of MyWay cards that have been in circulation since January 2017 in each of the following categories (a) standard, (b) tertiary, (c) concession and (d) student.
- (2) What is the monthly breakdown of MyWay cards that have been used at least once, in each of the card categories identified in part (1), since January 2017.
- (3) How many passengers using standard, tertiary and concession MyWay cards reached the monthly 40 paid trip cap in each month since January 2017.



- (4) How many passengers using student MyWay cards reached the monthly 30 paid trip cap in each month since January 2017.
- (5) What is the current number of MyWay cards registered online and what is that figure as a proportion of all MyWay cards in circulation.
- (6) What is the monthly breakdown of MyWay cards that have been purchased in the following ways since January 2017 (a) online, (b) at a recharge agent and (c) at an Access Canberra service centre.

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

- (1) The monthly breakdown of MyWay cards that have been issued since January 2017 in each of the following categories (a) standard, (b) tertiary, (c) concession and (d) student as follows:

	<b>In circulation</b>			
<b>Month</b>	<b>Standard</b>	<b>Tertiary</b>	<b>Concession</b>	<b>Student</b>
2017-01	3561	891	492	2673
2017-02	4385	3195	682	3219
2017-03	3504	1743	641	2908
2017-04	5583	1121	533	1499
2017-05	3410	1064	647	2139
2017-06	3155	826	493	1738
2017-07	3548	2266	478	1847
2017-08	3258	1624	509	1941
2017-09	3086	1090	542	1537
2017-10	3224	1278	545	1999
2017-11	2937	1229	523	1643
2017-12	2671	709	390	1021
2018-01	4249	1185	540	1599
2018-02	5306	3543	629	4673
2018-03	3748	2049	505	2216
2018-04	5697	1503	514	2282
2018-05	3654	1422	510	2097
2018-06	3333	1168	540	1623
2018-07	4030	2634	532	1775
2018-08	3205	1661	532	1843

- (2) The monthly breakdown of MyWay cards that have been used at least once, in each of the card categories identified in part (1), since January 2017, is as follows:

	<b>Used Once</b>			
<b>Month</b>	<b>Standard</b>	<b>Tertiary</b>	<b>Conc.</b>	<b>Student</b>
2017-01	3389	857	468	2541
2017-02	4173	3088	657	2942
2017-03	3294	1662	603	2341
2017-04	5419	1091	498	1368
2017-05	3220	1015	608	1894
2017-06	2938	787	462	1532

<b>Month</b>	<b>Standard</b>	<b>Tertiary</b>	<b>Conc.</b>	<b>Student</b>
2017-07	3353	2203	448	1693
2017-08	3062	1550	482	1740
2017-09	2885	1042	508	1369
2017-10	3016	1219	517	1803
2017-11	2764	1188	489	1452
2017-12	2506	689	366	905
2018-01	4030	1140	510	1497
2018-02	5027	3388	597	4272
2018-03	3480	1955	477	1858
2018-04	5469	1428	496	1610
2018-05	3379	1348	468	1843
2018-06	3038	1104	511	1419
2018-07	3662	2506	492	1562
2018-08	2925	1608	499	1610

- (3) The number of passengers using standard, tertiary and concession MyWay cards that reached the monthly 40 paid trip cap in each month since January 2017 is as follows:

	<b>Monthly Fare Caps (Standard, tertiary and concession)</b>
<b>Jan-2017</b>	444
<b>Feb-2017</b>	527
<b>Mar-2017</b>	1,711
<b>Apr-2017</b>	203
<b>May-2017</b>	2,313
<b>Jun-2017</b>	1,024
<b>Jul-2017</b>	950
<b>Aug-2017</b>	2,093
<b>Sep-2017</b>	599
<b>Oct-2017</b>	1,019
<b>Nov-2017</b>	1,341
<b>Dec-2017</b>	224
<b>Jan-2018</b>	746
<b>Feb-2018</b>	598
<b>Mar-2018</b>	747
<b>Apr-2018</b>	455
<b>May-2018</b>	1,883
<b>Jun-2018</b>	635
<b>Jul-2018</b>	1,457
<b>Aug-2018</b>	2,344
<i>Total</i>	<i>21,313</i>

- (4) The number of passengers using student MyWay cards that reached the monthly 30 paid trip cap in each month since January 2017 is as follows:

	<b>Monthly Fare Caps (student)</b>
<b>Jan-2017</b>	20
<b>Feb-2017</b>	2,661

	<b>Monthly Fare Caps (student)</b>
<b>Mar-2017</b>	3,113
<b>Apr-2017</b>	20
<b>May-2017</b>	3,666
<b>Jun-2017</b>	1,672
<b>Jul-2017</b>	102
<b>Aug-2017</b>	3,123
<b>Sep-2017</b>	584
<b>Oct-2017</b>	1,076
<b>Nov-2017</b>	2,196
<b>Dec-2017</b>	22
<b>Jan-2018</b>	27
<b>Feb-2018</b>	1,377
<b>Mar-2018</b>	2,141
<b>Apr-2018</b>	60
<b>May-2018</b>	3,126
<b>Jun-2018</b>	1,807
<b>Jul-2018</b>	96
<b>Aug-2018</b>	3,135
<i>Total</i>	<i>30,024</i>

- (5) The current number of MyWay cards registered online and what is that figure as a proportion of all MyWay cards is as follows:

<b>Used since 2017-01-01</b>		
<b>Total</b>	<b>Registered</b>	<b>Percentage</b>
260155	138442	53.2

- (6) The monthly breakdown of MyWay cards that have been purchased in the following ways since January 2017 are as follows:

<b>Purchased since Jan 17</b>			
<b>Month</b>	<b>Online</b>	<b>Recharge Agent</b>	<b>Access Canberra</b>
Jan-17	558	5690	989
Feb-17	564	8292	885
Mar-17	288	5837	686
Apr-17	155	4618	425
May-17	191	5122	585
Jun-17	163	4533	413
Jul-17	241	6353	520
Aug-17	212	5547	583
Sep-17	156	4745	388
Oct-17	152	5498	471
Nov-17	160	5005	338
Dec-17	181	3711	257
Jan-18	440	5594	478
Feb-18	614	10424	767
Mar-18	253	6247	353

Month	Online	Recharge Agent	Access Canberra
Apr-18	200	5721	332
May-18	237	5652	445
Jun-18	152	5141	335
Jul-18	234	7207	373
Aug-18	202	5593	428

### Emergency services—assaults (Question No 1834)

**Mr Coe** asked the Minister for Police and Emergency Services, upon notice, on 21 September 2018:

- (1) What is the total number of assaults reported against on-duty employees or workers in the following fields for each financial year since 2007-08 (a) ACT Ambulance Service, (b) ACT Policing, (c) ACT Fire & Rescue, (d) Rural Fire Service and (e) ACT State Emergency Service.
- (2) What is the total number of assaults reported against on duty volunteers in the following fields for each financial year since 2007-08 (a) ACT Ambulance Service, (b) ACT Policing, (c) ACT Fire & Rescue, (d) Rural Fire Service and (e) ACT State Emergency Service.

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

- (1)
  - a. ACT Emergency Services Agency records indicate the following number of incidents of assaults against ACT Ambulance Service staff, by financial year since 2007-2008:

Financial Year	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Assaults	3	3	8	4	8	13	4	6	11	17	14

- b. ACT Policing records indicate the following number of incidents of assaults against police, by financial year since 2007-2008:

Financial Year	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Assaults	66	60	56	48	30	56	40	13	41	73	51

- c. ACT Emergency Services Agency records indicate the following number of incidents of assaults against ACT Fire & Rescue staff, by financial year since 2007-2008:

Financial Year	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Assaults	0	0	1	0	0	0	0	0	1	0	0

- d. 0
    - e. 0

(2)

- a. 0
- b. ACT Policing records do not allow for a determination of the number of assaults against volunteers who provide assistance services to Police.
- c. 0
- d. ACT Emergency Services Agency records indicate the following number of incidents of assaults against ACT Rural Fire Service volunteers, by financial year since 2007-2008:

Financial Year	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Assaults	0	0	0	0	0	0	0	0	0	0	1

- e. ACT Emergency Services Agency records indicate the following number of incidents of assaults against ACT State Emergency Service volunteers, by financial year since 2007-2008:

Financial Year	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
Assaults	0	0	0	0	0	0	0	1	0	0	0

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### **Emergency services—fines (Question No 1835)**

**Mr Coe** asked the Minister for Police and Emergency Services, upon notice, on 21 September 2018:

How many fines since 14 April to date have been issued to motorists who fail to slow to 40km/hour when passing or overtaking stationary or slow moving emergency vehicles that were flashing their blue and red lights; of these, (a) during what months did they occur and (b) in what location.

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

- (1) Between 14 April 2018 and 24 September 2018, there have been no Traffic Infringement Notices (TINs) issued for the offence described.

As I advised the Assembly on 12 April 2018, through this initiative we hope to drive a culture change in our territory and, as the CPO said, help create a better working environment for our emergency service workers.

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### **Alexander Maconochie Centre—detainees (Question No 1836)**

**Mr Coe** asked the Minister for Corrections and Justice Health, upon notice, on 21 September 2018:

- (1) What is the highest number of inmates that have been held in custody the Alexander Maconochie Centre at any given time since the answer to Question on Notice No E18-462 of 9 July 2018, and how is this broken down by gender.

- (2) What is the total number of inmates currently in custody at the Alexander Maconochie Centre and how is this broken down by gender.

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

- (1) The highest number of detainees in custody at the Alexander Maconochie Centre since 9 July 2018 was 501, which comprised of 461 male detainees and 40 female detainees. This occurred on 10 July 2018.
- (2) On 23 September 2018 the detainee population at the Alexander Maconochie Centre was 488, which comprised of 445 male detainees and 43 female detainees.

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**Alexander Maconochie Centre—drugs  
(Question No 1837)**

**Mr Coe** asked the Minister for Corrections and Justice Health, upon notice, on 21 September 2018:

What is the total number of drug overdoses in the Alexander Maconochie Centre and what is the breakdown for each financial year since 2015-16 by (a) gender and (b) month.

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

All personal health information, including if a detainee has overdosed on medication or illicit substances, is maintained in their individual clinical record. Medical information is subject to privacy provisions and therefore is not available for release.

Canberra Health Services maintains clinical records for all patients, aggregated data on the number of drug overdoses at the Alexander Maconochie Centre is not separately collected. Further, "overdose" is difficult to quantify with significant variation related to such factors as:

- the significance of outcome from no impact to death,
- whether the action was intentional or unintentional,
- whether drug was prescribed or illicit.

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**Alexander Maconochie Centre—interstate transfers  
(Question No 1838)**

**Mr Coe** asked the Minister for Corrections and Justice Health, upon notice, on 21 September 2018:

- (1) How many inmates have been transferred to an interstate prison facility since the Alexander Maconochie Centre began operations, and (a) on what dates did this occur and (b) to which state were these inmates transferred.
- (2) What is the daily rate charged to the ACT Government for accommodating these inmates for each of these instances.

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

- (1) Since the Alexander Maconochie Centre opened in 2009, two detainees have been transferred to the custody of a receiving jurisdiction in accordance with Section 26 of the *Crimes (Sentence Administration) Act 2005*.

a) 22 March 2014 and 29 June 2018.

b) New South Wales.

Further, two detainees have had their sentences transferred to other jurisdictions voluntarily for welfare and trial grounds, in accordance with Section 222 of the *Crimes (Sentence Administration) Act 2005*.

a) 18 May 2011 and 3 August 2011.

b) New South Wales and Queensland.

- (2) The costs relating to response (1) is: \$586.36 per day.

### **Domestic and family violence—refuge funding (Question No 1839 and 1840)**

**Mr Coe** asked the Minister for the Prevention of Domestic and Family Violence and the Minister for Women, upon notice, on 21 September 2018 (*redirected to the Minister for Housing and Suburban Development*):

- (1) What is the total amount of financial support during each financial year from 2015-16 to date that was provided to refuges catering to (a) single women or women without dependents, (b) women with babies, (c) women with dependent children, (d) families, including male children or relatives, (e) unaccompanied children or minors, (f) single men or men without dependents, (g) men with babies and (h) men with dependent children.
- (2) In relation to part (1), was any other non-financial support provided to refuges during each financial year from 2015-16 to date; if so, what support was provided.
- (3) In relation to parts (1) and (2), what funding for these initiatives came from the Safer Families Levy each financial year from 1 July 2016.

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

- (1) The total amount of funding provided to ACT Specialist Homelessness accommodation services in 2018-19 is \$14,345,928.98. The following tables provide specific details, as requested.
- Please note, all women's homelessness services in the ACT support women with or without accompanying children. All family homelessness services in the ACT support families in all their diversity
    - a. Single women or women without dependents**  
Two homelessness services are predominately accessed by women who are unaccompanied by children. Funding for these two services in 2018-19 totals \$1,513,542.96. Of this, \$100,000 was allocated to Toora in the 2018-19 ACT Government Budget (\$670,000 over four years) to support their work in supporting women and children experiencing domestic violence.

Service	2015-16	2016-17	2017-18	2018-19
Toora DV and Homelessness Service	\$991,231.38	\$1,002,936.87	\$1,016,177.08	\$1,141,073.42
Toora Women Coming Home Program	\$350,131.23	\$356,433.59	\$363,562.26	\$372,469.54

**b. Women with babies**

Karinya House specifically supports expectant mothers and women with babies. Funding in 2018-19 totals \$590,655.88. Of this, \$80,000 was allocated to Karinya in the 2018-19 ACT Government Budget (\$332,000 over four years) to support young women at risk of statutory intervention

Service	2015-16	2016-17	2017-18	2018-19
Karinya House	\$480,039.45	\$488,680.16	\$498,453.76	\$590,655.88

**c. Women with dependent children**

Five homelessness services are targeted at women with accompanying children. Funding for these five services in 2018-19 totals \$2,844,884.13. Of this, \$100,000 each was allocated to Beryl and Doris in the 2018-19 ACT Government Budget (\$1,340,000 over four years) to support their work with children experiencing domestic and family violence.

Service	2015-16	2016-17	2017-18	2018-19
Toora Women and Children's Program	\$511,295.00	\$412,540.71	\$561,055.37	\$574,801.22
Beryl	\$448,951.00	\$482,983.78	\$592,643.45	\$604,713.22
Doris	\$399,771.00	\$430,075.68	\$538,677.20	\$549,424.78
YWCA Housing Support Unit	\$656,502.00	\$693,780.16	\$720,393.56	\$738,043.20
Northside Women's Housing First Program	\$336,150	\$355,237.61	\$368,864.52	\$377,901.71

**d. Families including male children or relatives**

Six homelessness services are targeted families in all their diversity. This includes families with male children, single father families, and families accompanied with relatives. Funding for these six services in 2018-19 totals \$2,669,854.79.

Service	2015-16	2016-17	2017-18	2018-19
Toora Family Program	\$608,283	\$490,795.50	\$667,481.88	\$683,835.18
St Vincent de Paul Family Service	\$765,446	\$823,470.71	\$839,940.12	\$860,518.65
Communities@Work Reach Home Program	\$183,441	\$193,857.33	\$201,239.70	\$206,225.39
St Vincent de Paul – Young Parent Accommodation Support Program	\$191,013	\$201,859	\$209,602.61	\$214,737.88
EveryMan – Indigenous Boarding House Network	\$227,515	\$229,464.39	\$312,071.57	\$319,717.32
EveryMan – Indigenous Program	\$342,304	\$276,189.51	\$375,617.74	\$384,820.37



**e. Unaccompanied children or minors**

The ACT Specialist Homelessness Sector does not provide accommodation support to unaccompanied children or minors under the age of 16 years. Funding for the three services below (which are available to young people aged 16 years and over) totals \$3,493,595.53 in 2018-19.

Service	2015-16	2016-17	2017-18	2018-19
Barnardos Friendly Landlord Service	\$356,212.50	\$376,439.85	\$390,880.07	\$400,456.63
Barnardos Our Place	\$503,944.48	\$503,944.48	\$503,944.48	\$516,291.12
Salvation Army -Youth Emergency Accommodation Network	\$2,292,150	2,422,305.15	\$2,515,224.78	\$2,576,847.78

**f. Single men or men without dependents**

The ACT Specialist Homelessness Sector has four services that support single men or men without dependants. Funding for the four services below totals \$2,629,547.31 in 2018-19.

Service	2015-16	2016-17	2017-18	2018-19
EveryMan Early Intervention Program	\$708,685.02	\$721,441.35	\$735,870.18	\$753,899.00
EveryMan Managed Accommodation Program	\$509,749.10	\$516,282.17	\$524,749.00	\$537,605.35
St Vincent de Paul Samaritan House	\$664,505.58	\$682,447.21	\$708,625.88	\$725,987.22
Catholic Care – Minosa House	\$544,434.00	\$575,348.60	\$597,418.97	\$612,055.74

**g. Men with babies**

While there is no specific accommodation funding for men with babies, they can be supported by the services mentioned above at point (d)

**h. Men with dependent children**

In addition to support mentioned above at point (d), the following service/s support are provided to men with dependent children.

Service	2015-16	2016-17	2017-18	2018-19
Connections ACT-Dad's Place	\$587,477.71	Funding transferred to Room4Change (\$224,463)	-	-
Room 4 Change			\$589,407.89	\$603,848.38

- (2) In addition to Service Funding Agreements, Housing ACT provides properties to the ACT Specialist Homelessness Sector for crisis and transitional purposes. In 2018-19 there are 347 accommodation places available for use within the ACT Specialist Homelessness Sector.
- (3) Room4Change receives \$385,000 through the Safer Families Levy, with the balance being provided through the National Housing and Homelessness Agreement.

### **Housing—rental (Question No 1841)**

**Mr Coe** asked the Treasurer, upon notice, on 21 September 2018:

- (1) What was the total number of residential rental properties in the ACT during each financial year from 2015-16 to date broken down by (a) unit and (b) house.
- (2) What was the total number during each financial year from 2015-16 to date, of individuals, investors, or entities that owned (a) one residential rental property, (b) two residential rental properties, (c) three residential rental properties, (d) four residential rental properties, (e) five or more residential rental properties.

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

- (1) Since the abolition of land tax on commercial properties in 2012-13, the Revenue Office has not collected information related to the rental status of commercial properties. The number of residential properties for which land tax is paid is set out below.

	2015-16	2016-17	2017-18	2018-19
Residential Units	25,888	26,520	27,860	25,662
Residential Houses	19,383	19,708	19,141	18,394

- (2) I have been advised by ACT Revenue Office that the information sought is not in an easily retrievable form, and that to collect and assemble the information for the purpose of answering the question would require a considerable diversion of resources.

### **Business—commercial rental (Question No 1842)**

**Mr Coe** asked the Treasurer, upon notice, on 21 September 2018:

- (1) What was the total number of commercial rental properties in the ACT during each financial year from 2015-16 to date.
- (2) What was the total number of individuals, investors, or entities during each financial year from 2015-16 to date that owned (a) one commercial rental property, (b) two commercial rental properties, (c) three commercial rental properties, (d) four commercial rental properties and (e) five or more commercial rental properties.

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

- (1) Refer to QoN 1348 of 11 May 2018 – breakdown of land tax payers by (a) suburb and (b) type of dwelling, such as houses, unit or commercial properties. It includes commercial properties to 2011-12 (land tax for commercial properties was abolished from 2012-13) otherwise the ACT Revenue Office does not record that data.

(2) See response to (1).

**Business—commercial rates  
(Question No 1843)**

**Mr Coe** asked the Treasurer, upon notice, on 21 September 2018:

- (1) What was the average commercial rates in Phillip for each financial year from 2007-08 to date.
- (2) What was the average unimproved value of commercial properties in Philip for each financial year from 2007-08 to date.
- (3) What is the total value of revenue collected from commercial rates in Phillip for each financial year from 2007-08 to date.
- (4) What is the total value of revenue received from amended rates notices issued in Phillip for each financial year from 2007-08 to date.

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

(1), (2) and (3) See Table below.

Financial Year	Average Commercial Rates	AUV	Revenue Collected
2007-2008	\$10,357	\$789,091	\$2,941,463
2008-2009	\$11,583	\$908,149	\$3,049,510
2009-2010	\$11,658	\$1,037,110	\$3,575,940
2010-2011	\$12,508	\$1,049,843	\$3,213,031
2011-2012	\$11,551	\$907,755	\$3,213,031
2012-2013	\$26,158	\$850,362	\$7,037,762
2013-2014	\$34,393	\$832,557	\$9,209,660
2014-2015	\$40,775	\$821,700	\$10,349,449
2015-2016	\$39,295	\$838,240	\$11,087,845
2016-2017	\$42,487	\$852,466	\$11,847,989
2017-2018	\$43,975	\$965,358	\$13,507,771
2018-2019 YTD	\$55,836	\$1,007,048	\$4,001,100

*The average commercial rates increase from 2011-12 to 2012-13 reflects that commercial land tax was abolished and incorporated in commercial rates as part of the Government's tax reforms.*

- (4) 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 for the purpose of answering the question would require an unreasonable diversion of resources.

**Government—rates  
(Question No 1844)**

**Mr Coe** asked the Treasurer, upon notice, on 21 September 2018:

- (1) What is the breakdown by suburb of the (a) total number and (b) total value; of amended residential rates notices that have been issued for each financial year from 2007-08 to date.
- (2) What is the breakdown by suburb of the (a) total number and (b) total value; of amended commercial rates notices that have been issued for each financial year from 2007-08 to date.
- (3) What are the processes for (a) identifying instances where an amended rates notice needs to be issued and (b) issuing an amended rates notice for (i) residential and (ii) commercial properties.
- (4) What is the breakdown of (a) objections and appeals that have been received and (b) findings in relation to those objections and appeals regarding amended rates notices for each financial year since 2007-08 to date.
- (5) What is the average period of time an amended residential rates notice covered for each financial year from 2007-08 to date.
- (6) What is the average period of time an amended commercial rates notice covered for each financial year from 2007-08 to date.

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

- (1) and (2) 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 involve an unreasonable diversion of resources.
- (3) The ACT Revenue Office (ACTRO) will identify instances where an amended notice is required. This can include receiving an updated valuation for a property from ACT Valuations Office, information from EPSDD regarding a change in the lease purpose clause or change of ownership. Once this information has been received, ACTRO updates its system and a new rates notice is issued.
- (4) to (6) See answer to (1) and (2).

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### **Roads—accident black spots (Question No 1845)**

**Mr Coe** asked the Minister for Justice, Consumer Affairs and Road Safety, upon notice, on 21 September 2018 (*redirected to the Minister for Roads*):

- (1) What is the breakdown of the total number of accidents by accident type that occurred on Tuggeranong Parkway during (a) 2015-16, (b) 2016-17, (c) 2017-18 and (d) 2018-19 to date.
- (2) What are the top 10 roads where the most accidents occurred broken down by number of accidents and accident type during (a) 2015-16, (b) 2016-17, (c) 2017-18 and (d) 2018-19 to date.

- (3) What are the top 10 suburbs where the most accidents occurred broken down by number of accidents and accident type during (a) 2015-16, (b) 2016-17, (c) 2017-18 and (d) 2018-19 to date.

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

The crash types and corresponding ACT crash codes are presented below:

Crash type	ACT Crash Codes
<b>Vehicle to vehicle collisions</b>	
Right turn into oncoming vehicle	<b>1</b>
Right angle collision	<b>2</b>
Acute angle – same direction	<b>3</b>
Acute angle – opposite direction	<b>4</b>
Head on collision	<b>5</b>
Rear end collision	<b>6</b>
Collision with parked vehicle	<b>7</b>
Collision with one vehicle reversing	<b>8</b>
Other	<b>9</b>
<b>Single vehicle collision (on carriageway)</b>	
Struck pedestrian	<b>10</b>
Struck animal	<b>11</b>
Struck object	<b>12</b>
Overtaken	<b>13</b>
Fall from moving vehicle	<b>14</b>
Other	<b>15</b>
<b>Single vehicle collision (off carriageway)</b>	
Struck pedestrian	<b>16</b>
Struck vehicle	<b>17</b>
Struck animal	<b>18</b>
Struck object	<b>19</b>
Overtaken	<b>20</b>
No object struck	<b>21</b>
Other	<b>22</b>

- (1) Crashes on Tuggeranong Parkway between Glenloch Interchange and Drakeford Drive are presented below. This excludes crashes at the Tuggeranong Parkway/Drakeford Drive/Sulwood Drive intersection as these crashes are actually 'shared' among the three roads.

Year	Crashes per crash type										Total crashes
	3	6	7	9	11	12	13	15	19	21	
<b>2015</b>	12	76		2	10	3	1	9	10		123
<b>2016</b>	12	100		4	11	1		5	14		147
<b>2017</b>	26	81	1		8	1	3	4	10	1	135
<b>2018 Jan – June (preliminary data only)</b>	7	70		1	1			1	3		83

- (2) Crash data is reported, recorded and analysed as 'intersection crashes' or 'midblock crashes'. Ranking roads based on crashes on the whole road section will be

misleading and inaccurate as crashes at intersections are actually shared among multiple roads. In this context, the top 10 locations with the highest number of crashes per year are presented below:

2015											
Location	Crashes per crash type										Total crashes
	1	2	3	6	8	9	10	13	15	19	
Barton Highway/William Slim Drive/Gundaroo Drive intersection	6	25	16	49	1	1			2	1	101
Anzac Parade/Parkes Way intersection	2	2	3	64							71
Coranderrk Street/Parkes Way intersection		2	6	59	1						68
Hindmarsh Drive/Tuggeranong Parkway Ramp (east) intersection	1	1	55								57
Canberra Avenue/ Sturt Avenue/ Wentworth Avenue intersection	1	8	13	32				1	1	1	57
Athllon Drive / Drakeford Drive / Isabella Drive intersection	2	7	8	24	2					1	44
Barry Drive / Cooyong Street / Northbourne Avenue intersection	1	2	10	23			1			2	39
Canberra Avenue/Hindmarsh Drive/Newcastle Street intersection	2		1	31	2						36
Hindmarsh Drive/ Yamba Drive intersection			4	29	2	1					36
Ashley Drive/Isabella Drive intersection		10	3	20						2	35

2016										
Location	Crashes per crash type									Total crashes
	1	2	3	6	8	9	12	13	19	
Anzac Parade/Parkes Way intersection	7	1	1	81						90
Coranderk Street/Parkes Way intersection	1	8	6	67		2				84
Barton Highway/William Slim Drive/Gundaroo Drive intersection	3	22	10	27			1	1		64
Canberra Avenue/ Sturt Avenue/ Wentworth Avenue intersection		4	14	36					1	55

2016										
Location	Crashes per crash type									Total crashes
	1	2	3	6	8	9	12	13	19	
Athllon Drive/Drakeford Drive /Isabella Drive intersection	4	14	7	25				1	1	52
Hindmarsh Drive/ Melrose Drive intersection		2	7	27	2	1			1	40
Hindmarsh Drive/ Yamba Drive intersection	2	1	4	28	2	1				38
Ashley Drive/Isabella Drive intersection		11	1	24					1	37
Hindmarsh Drive/Tuggeranong Parkway Ramp (east) intersection		2		32				1		35
Baldwin Drive/Ginninderra Drive/Haydon Drive intersection	2	1		32						35

2017													
Location	Crashes per crash type												Total crashes
	1	2	3	6	7	8	9	11	12	13	15	19	
Coranderrk Street/Parkes Way intersection	1	3	6	74									84
Anzac Parade/Parkes Way intersection	2	1	1	69								3	76
Canberra Avenue/ Sturt Avenue/ Wentworth Avenue intersection	3	8	17	24					1			1	54
Barton Highway/William Slim Drive/Gundaroo Drive intersection	7	11	15	19									52
Barry Drive/Cooyong Street/Northbourne Avenue intersection	2	5	11	26		2	5			1			52
Athllon Drive/Drakeford Drive/Isabella Drive intersection	6	12	8	19			1						46
Baldwin Drive/Ginninderra Drive/Haydon Drive intersection	4	1		32		1				1		1	40
Tuggeranong Parkway midblock (Cotter Road to Tuggeranong Parkway southbound ramp - Tuggeranong Parkway to Hindmarsh Drive southbound ramp)			8	19	1			4		2	2	2	38

2017													
Location	Crashes per crash type												Total crashes
	1	2	3	6	7	8	9	11	12	13	15	19	
Ashley Drive/ Erindale Drive intersection	4	12	2	18		1							37
Athllon Drive/Drakeford Drive intersection	2	4		30									36
Gundaroo Drive midblock (Gungahlin Drive - Ginn Street)			3	33									36

Jan – Jun 2018 (*preliminary data and subject to changes)												
Location	Crashes per crash type											Total crashes
	1	2	3	5	6	8	9	11	13	19	21	
Anzac Parade/Parkes Way intersection					38							38
Coranderrk Street/Parkes Way intersection	2	2	5		26							35
Athllon Drive/Drakeford Drive/Isabella Drive intersection	2	2	1		19					1		25
Tuggeranong Parkway midblock (Lady Denman Drive to Tuggeranong Parkway southbound ramp - Tuggeranong Parkway to Cotter Road southbound ramp)			1		22			1		1		25
Athllon Drive/Drakeford Drive intersection	2	2	2		17							23
Canberra Avenue/Hindmarsh Drive/Newcastle Street intersection			2		19							21
Gundaroo Drive/ Gungahlin Drive intersection	2		1		17	1						21
Canberra Avenue/ Sturt Avenue/ Wentworth Avenue intersection		1	5		12						2	20
Baldwin Drive/Ginninderra Drive/Haydon Drive intersection			3		17							20
Horse Park Drive midblock (Horse Park Drive to Federal Highway northbound ramp - Well Station Drive)			1	1	15			1		1	1	20



Jan – Jun 2018 (*preliminary data and subject to changes)												
Location	Crashes per crash type											Total crashes
	1	2	3	5	6	8	9	11	13	19	21	
Tuggeranong Parkway midblock (Cotter Road to Tuggeranong Parkway southbound ramp - Tuggeranong Parkway to Hindmarsh Drive southbound ramp)			4		14		1		1			20

- (3) Arterial and collector roads often run between suburbs defining the boundaries of the suburbs, and so the crashes are ‘shared’ between these suburbs. Intersections on these roads can have up to four suburbs associated with them. Hence, it will be inaccurate to rank suburbs by crashes as the majority of crashes occur on these major roads and are actually shared among adjacent suburbs.

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### Access Canberra—numberplates (Question No 1846)

**Mr Coe** asked the Minister for Business and Regulatory Services, upon notice, on 21 September 2018:

Can the Minister provide a breakdown of total number of numberplates issued by the following categories in the financial years 2017-18 and 2018-19 to date (a) blue characters on a white background, (b) black characters on a white background, (c) white characters on a black background, (d) white characters on a brown background, (e) blue characters on a white and rainbow background, (f) white characters on a dark green background, (g) white characters on a maroon background, (h) white characters on a blue background, (i) white characters on a pink background, (j) white characters on a purple background, (k) white characters on a red background.

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

- (a)
  - 2017-18:** 22
  - 2018-19 (as at 26 September 2018):** 5
- (b)
  - 2017-18:** 256
  - 2018-19 (as at 26 September 2018):** 53
- (c)
  - 2017-18:** 2096
  - 2018-19 (as at 26 September 2018):** 463
- (d)
  - 2017-18:** 4
  - 2018-19 (as at 26 September 2018):** 3
- (e)
  - 2017-18:** 124
  - 2018-19(as at 26 September 2018):** 8

- (f)  
**2017-18: 11**  
**2018-19 (as at 26 September 2018): 3**
- (g)  
**2017-18: 26**  
**2018-19 (as at 26 September 2018): 6**
- (h)  
**2017-18: 28**  
**2018-19 (as at 26 September 2018): 7**
- (i)  
**2017-18: 31**  
**2018-19 (as at 26 September 2018): 7**
- (j)  
**2017-18: 30**  
**2018-19 (as at 26 September 2018): 15**
- (k)  
**2017-18: 57**  
**2018-19 (as at 26 September 2018): 12**

**Access Canberra—certificates  
 (Question No 1847)**

**Mr Coe** asked the Minister for Business and Regulatory Services, upon notice, on 21 September 2018:

- (1) What is the total number of certificates issued in relation to (a) births, (b) deaths, (c) marriages, (d) adoptions, (e) change of name, (f) recording a change of sex on the birth register, (g) civil partnerships, (h) civil unions and (i) change of recognised details during each financial year from 2015-16 to date.
- (2) In relation to part (1) how many marriage certificates have been issued to same sex couples since 15 December 2017 to date.

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

(1)

	<b>Certificate Type</b>	<b>Number issued during 2015-16</b>	<b>Number issued during 2016-17</b>	<b>Number issued during 2017-18</b>	<b>Number issued during 2018-19 (as at 26/9/2018)</b>
(a)	<b>Birth Certificates</b>	12,931	12,413	13,051	3,168
(b)	<b>Death Certificates</b>	2,792	3,134	3,175	851
(c)	<b>Marriage Certificates</b>	2,917	2,801	2,969	641
(d)	<b>Adoptions Registered</b>	8	14	9	1

(e)	<b>Change of name Certificates</b>	664	649	318	144
(f)	<b>Recording of change of sex on the birth register</b>	24	22	24	5
(g)	<b>Civil Partnership Certificates</b>	234	292	385	108
(h)	<b>Civil Union Certificates</b>	8	11	3	0
(i)	<b>Change of recognised details</b>	0	8	9	0

- (2) 82 certificates have been issued for marriages which are now permitted following the December 2017 amendments to the Marriage Act.

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### **Rural fire services—vehicles (Question No 1848)**

**Mr Coe** asked the Minister for Police and Emergency Services, upon notice, on 21 September 2018:

- (1) What is the current count of Rural Fire Service (RFS) vehicles, by vehicle category.
- (2) Is the annual servicing undertaken on a calendar or financial year basis for each category of RFS vehicles.
- (3) What is the breakdown of the number of RFS vehicles by vehicle category that have undergone an annual service for each six month period from 1 July 2017 to date.
- (4) What is the breakdown of the number of RFS vehicles by vehicle category that are yet to undergo an annual service.
- (5) What is the average annual service cost for each RFS vehicle type during (a) 2017-18 and (b) 2018-19 to date.
- (6) What has been the total expenditure on the annual servicing of RFS vehicles for each six month period from 1 July 2017 to date.
- (7) When are all annual services of RFS vehicles scheduled to be completed.

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

- (1) Currently there are 61 vehicles that fall within the ACT Rural Fire Service (ACTRFS) annual servicing program. Of these 61 vehicles, ACT Emergency Services Agency (ESA) owns 59 and two are owned by Parks and Conservation Services, Environment, Planning and Sustainable Development Directorate (PCS). Operational use of the vehicles is split, with ACTRFS using 51 vehicles and Parks (EPSDD) using 10 vehicles.

## Vehicle list:

- 1 x super-heavy tanker
- 19 x heavy tankers
- 15 x medium tankers
- 9 x light units
- 6 x Compressed Air Foam tankers (CAFS)
- 3 x group vehicles
- 8 x command vehicles
- 15 x Trailers
- 1 x Forklift
- 1 x Tractor

ACTRFS also own and operate 15 support trailers and two machinery (a forklift and a Tractor). The 15 trailers are part of the ACTRFS annual servicing program and the two machinery are serviced by the manufacturers.

- (2) The ACTRFS annual servicing program is carried out by ESA's workshop and is conducted as per the manufacturer's recommendation. The service also includes the pre-season checks on the specialist equipment including water pumps, foam systems, locker, safety systems and small gear including chainsaws etc.
- (3) In 2018 to date all vehicles have been serviced and are back in operation at their home stations.

## Completed service list:

- 1 x super-heavy tanker - serviced
- 19 x heavy tankers – serviced
- 15 x medium tankers – serviced
- 9 x light units – serviced
- 6 x Compressed Air Foam Tankers (CAFS) – serviced
- 3 x group vehicles –serviced
- 8 x Command vehicles serviced
- 15 x trailers

- (4) There are no further ACTRFS vehicles scheduled to undergo an annual service for the 2018/19 season.
- (5) The estimated service cost of each vehicle is based on a labour charged of \$80 per hour and the cost of standard parts needed to complete the service.

## Annual service cost per vehicle type:

- super-heavy tanker = \$1200 per vehicle
- heavy tankers = \$1200 per vehicle
- Medium tankers = \$865 per vehicle
- light units = \$862 per vehicle
- CAFS = \$3139 per vehicle
- group vehicles = \$933 per vehicle
- Command vehicles = \$933 per vehicle

These prices exclude any large mechanical repairs or tyres as these costs are vehicle dependant and are costed accordingly based on our standard labour charge and the costs of the relevant parts.

- (6) The total expected cost of only servicing the 61 vehicles based on the above average costs is estimated to be \$80,000. This excludes major repairs and tyres.
- (7) The 2018 RFS annual servicing program commenced in July 2018 and was completed on 12 October 2018.

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**Bushfires—fire towers  
(Question No 1849)**

**Mr Coe** asked the Minister for Police and Emergency Services, upon notice, on 21 September 2018:

- (1) What is the current structural classification of each of the ACT's fire towers.
- (2) Have any of the ACT fire towers been deemed structurally unsafe in the previous 12 months; if yes, can the Minister advise (a) what tower was deemed structurally unsafe, (b) what date the tower was deemed structurally unsafe, (c) why was the tower deemed structurally unsafe, (d) what has been done to remedy the tower, (e) what date is the tower expected to be deemed structurally safe, (f) what is the total expenditure on remedying the tower to date and (g) what is the expected total expenditure needed to remedy the tower.

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

I am advised:

(1) 10a

(2) Yes

a. Kowen fire tower.

b. Access was restricted on 24 August 2018 based on preliminary email advice from the structural engineer. On 2 September 2018, the structural engineer provided formal written advice that Kowen fire tower was deemed to be structurally unsafe.

Community safety was not compromised when the tower was taken offline. Towers are just one part of the early detection and monitoring of potential bushfire threats.

c. The structural engineer's report noted advanced timber decay of structural members and the loss of material to structural members and sectional properties.

d. ICT, Capital Works and Infrastructure, Justice and Community Safety Directorate, engaged with a building contractor to replace the decayed timber

e. The tower was assessed as structurally safe on 9 October 2018, following the completion and inspection of remedial works.

f. \$51,355 + GST.

g. \$51,355 + GST. This can be confirmed, once invoices are finalised.

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**Land—Indigenous land use agreements  
(Question No 1850)**

**Mr Coe** asked the Minister for Planning and Land Management, upon notice, on 21 September 2018 (*redirected to the Minister for Environment and Heritage*):

- (1) Can the Minister advise in relation to Indigenous Land Use Agreements (Agreements) (a) how many Agreements are currently in place within the ACT, (b) what area or location does each Agreement cover, (c) what date each Agreement was entered into, (d) what are the conditions attached to each Agreement and (e) whether there are ongoing negotiations or discussions regarding the Agreements or conditions.
- (2) Has the ACT Government entered into negotiations or been approached to undertake any new Agreements; if yes, (a) what area or location does the Agreement cover, (b) what conditions are expected to be attached to the Agreement and (c) when the Agreement is expected to be finalised.

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

- (1) There are no registered Indigenous Land Use Agreements (Agreements) in the ACT. No new applications have been lodged and there are no registered applications or determinations for an Agreement within the ACT
- (2) The Environment, Planning and Sustainable Development Directorate has not entered into any Agreement negotiations or been approached to undertake any new Agreements.

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**ACT Health—interstate recruitment  
(Question No 1851)**

**Mr Coe** asked the Minister for Mental Health, upon notice, on 21 September 2018:

- (1) For each financial year from 2007-08 to date, what is the (a) total number of new employees who received financial relocation assistance and (b) total value of relocation and other costs paid to accommodate new employees joining ACT Health from outside the ACT, broken down by (i) frontline service or health professional employees and (ii) ACT Public Service or administration employees.
- (2) For each financial year from 2007-08 to date, what is the total number of (a) frontline service or health professional employees and (b) ACT Public Service or administration employees that were recruited or came from (i) New South Wales, (ii) Victoria, (iii) Tasmania, (iv) South Australia, (v) Western Australia, (vi) Northern Territory, (vii) Queensland and (viii) overseas.

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

- (1) a) Data collected enables a summary of cost but does not provide specific employee numbers with not all employees relocating from interstate or overseas accessing their reimbursement for relocation. Not all those in table 2 (a) and (b) would have accessed this entitlement.

b) The relocation expense for frontline and administrative staff since 2008-09 is broken down as follows:

Row Labels	Administrative	Frontline	Grand Total
2008-2009		\$163,912.34	\$163,912.34
2009-2010	\$8,205.46	\$808,830.12	\$817,035.58
2010-2011	\$21,507.74	\$637,477.24	\$658,984.98
2011-2012	\$7,208.47	\$1,069,408.83	\$1,076,617.30
2012-2013	\$16,507.86	\$892,229.67	\$908,737.53
2013-2014	\$59,437.86	\$646,036.85	\$705,474.71
2014-2015	\$26,496.46	\$745,541.72	\$772,038.18
2015-2016	\$69,610.43	\$920,404.54	\$990,014.97
2016-2017	\$58,173.44	\$735,856.95	\$794,030.39
2017-2018	\$119,806.84	\$705,333.89	\$825,140.73
2018-2019	\$14,104.53	\$191,408.09	\$205,512.62
<b>Grand Total</b>	<b>\$401,059.09</b>	<b>\$7,516,440.24</b>	<b>\$7,917,499.33</b>

\* Note there is no transactional data available prior to 2008 in TM1.

(2) a)

Health Professional/Medical Staff								
FY	State							
	NSW	NT	QLD	SA	TAS	VIC	WA	O/S
2011/2012	50	1	2	5	1	4	0	2
2012/2013	58	1	16	8	5	16	7	148
2013/2014	76	0	6	0	1	6	1	4
2014/2015	97	0	9	2	0	10	1	8
2015/2016	59	2	4	1	0	6	22	10
2016/2017	146	1	4	2	0	5	1	8
2017/2018	104	2	6	3	2	15	6	10

Please note: The previous recruitment system Verve, is no longer accessible to obtain data prior to 2011. The new e-recruitment system Taleo, was implemented in 2011, and the above data is provided through this system.

b)

Administration Staff								
FY								
	NSW	NT	QLD	SA	TAS	VIC	WA	O/S
2011/2012	25	0	1	6	0	1	0	0
2012/2013	44	0	1	0	0	0	0	4
2013/2014	31	0	1	0	1	0	0	0
2014/2015	32	0	1	0	0	2	0	0
2015/2016	44	0	0	0	2	0	0	0
2016/2017	31	0	1	0	0	0	0	0
2017/2018	48	0	0	1	0	0	0	0

Please note: The previous recruitment system Verve, is no longer accessible to obtain data prior to 2011. The new e-recruitment system Taleo, was implemented in 2011, and the above data is provided through this system.

## **ACT Health—interstate recruitment (Question No 1852)**

**Mr Coe** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) For each financial year from 2007-08 to date, what is the (a) total number of new employees who received financial relocation assistance and (b) total value of relocation and other costs paid to accommodate new employees joining ACT Health from outside the ACT, broken down by (i) frontline service or health professional employees and (ii) ACT Public Service or administration employees.
- (2) For each financial year from 2007-08 to date, what is the total number of (a) frontline service or health professional employees and (b) ACT Public Service or administration employees that were recruited or came from (i) New South Wales, (ii) Victoria, (iii) Tasmania, (iv) South Australia, (v) Western Australia, (vi) Northern Territory, (vii) Queensland and (viii) overseas.

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

- (1) a) Data collected enables a summary of cost but does not provide specific employee numbers with not all employees relocating from interstate or overseas accessing their reimbursement for relocation. Not all those in table 2 (a) and (b) would have accessed this entitlement.
- b) The relocation expense for frontline and administrative staff since 2008-09 is broken down as follows:

Row Labels	Administrative	Frontline	Grand Total
2008-2009		\$163,912.34	\$163,912.34
2009-2010	\$8,205.46	\$808,830.12	\$817,035.58
2010-2011	\$21,507.74	\$637,477.24	\$658,984.98
2011-2012	\$7,208.47	\$1,069,408.83	\$1,076,617.30
2012-2013	\$16,507.86	\$892,229.67	\$908,737.53
2013-2014	\$59,437.86	\$646,036.85	\$705,474.71
2014-2015	\$26,496.46	\$745,541.72	\$772,038.18
2015-2016	\$69,610.43	\$920,404.54	\$990,014.97
2016-2017	\$58,173.44	\$735,856.95	\$794,030.39
2017-2018	\$119,806.84	\$705,333.89	\$825,140.73
2018-2019	\$14,104.53	\$191,408.09	\$205,512.62
<b>Grand Total</b>	<b>\$401,059.09</b>	<b>\$7,516,440.24</b>	<b>\$7,917,499.33</b>

\* Note there is no transactional data available prior to 2008 in TM1.



(2) a)

Health Professional/Medical Staff								
FY	State							
	NSW	NT	QLD	SA	TAS	VIC	WA	O/S
2011/2012	50	1	2	5	1	4	0	2
2012/2013	58	1	16	8	5	16	7	148
2013/2014	76	0	6	0	1	6	1	4
2014/2015	97	0	9	2	0	10	1	8
2015/2016	59	2	4	1	0	6	22	10
2016/2017	146	1	4	2	0	5	1	8
2017/2018	104	2	6	3	2	15	6	10

Please note: The previous recruitment system Verve, is no longer accessible to obtain data prior to 2011. The new e-recruitment system Taleo, was implemented in 2011, and the above data is provided through this system.

b)

Administration Staff								
FY	NSW	NT	QLD	SA	TAS	VIC	WA	O/S
2011/2012	25	0	1	6	0	1	0	0
2012/2013	44	0	1	0	0	0	0	4
2013/2014	31	0	1	0	1	0	0	0
2014/2015	32	0	1	0	0	2	0	0
2015/2016	44	0	0	0	2	0	0	0
2016/2017	31	0	1	0	0	0	0	0
2017/2018	48	0	0	1	0	0	0	0

Please note: The previous recruitment system Verve, is no longer accessible to obtain data prior to 2011. The new e-recruitment system Taleo, was implemented in 2011, and the above data is provided through this system.

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### **ACT Health—staff remuneration (Question No 1853)**

**Mr Coe** asked the Minister for Mental Health, upon notice, on 21 September 2018:

- (1) How does the ACT Health calculate lost opportunity costs in relation to staff attraction and retention.
- (2) What was the lost opportunity costs for ACT Health during (a) 2015-16, (b) 2016-17, (c) 2017-18 and (d) 2018-19 to date.

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

1. ACT Health does not calculate lost opportunity costs in relation to staff attraction and retention.
  2. Refer to response to question 1.
- 

**ACT Health—staff remuneration  
(Question No 1854)**

**Mr Coe** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) How does the ACT Health calculate lost opportunity costs in relation to staff attraction and retention.
- (2) What was the lost opportunity costs for ACT Health during (a) 2015-16, (b) 2016-17, (c) 2017-18 and (d) 2018-19 to date.

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

1. ACT Health does not calculate lost opportunity costs in relation to staff attraction and retention.
  2. Refer to response to question 1.
- 

**ACT Health—staff agreements  
(Question No 1855)**

**Mr Coe** asked the Minister for Mental Health, upon notice, on 21 September 2018:

- (1) What is the total number of ACT Health employees who were asked to sign confidentiality or non-disclosure agreements during each financial year from 2007-08 to date.
- (2) In relation to part (1), for each financial year how many confidentiality or non-disclosure agreements were signed when staff were terminated or left ACT Health.
- (3) Is it common practice to request employees to sign confidentiality or non-disclosure agreements; if no, can the Minister advise in what circumstances are employees asked to sign confidentiality or non-disclosure agreements upon leaving ACT Health.

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

- (1) Under the terms of engagement, ACT Health does not require staff to sign a confidentiality agreement.

In accordance with section 9 of the *Public Sector Management Act 1994*, a public servant must not without lawful authority disclose confidential information gained through the public servant's job.

When an employee resigns from ACT Health they are not required to sign a non-disclosure agreement. Under section 153 (2) of the *Crimes Act 1990*, an officer must not disclose without lawful authority, any fact or document which came into his or her knowledge by virtue of the person having been an officer of the Territory.

ACT Health recommends that all staff complete the Privacy and Confidentiality eLearning course.

(2) See above.

(3) No. If the employee separates employment through a settlement process, with the approval of the Solicitor-General, the terms of settlement may be subject to confidentiality provisions and cannot be disclosed where this is necessary to protect the Territory's interests.

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### **ACT Health—staff agreements (Question No 1856)**

**Mr Coe** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) What is the total number of ACT Health employees who were asked to sign confidentiality or non-disclosure agreements during each financial year from 2007-08 to date.
- (2) In relation to part (1), for each financial year how many confidentiality or non-disclosure agreements were signed when staff were terminated or left ACT Health.
- (3) Is it common practice to request employees to sign confidentiality or non-disclosure agreements; if no, can the Minister advise in what circumstances are employees asked to sign confidentiality or non-disclosure agreements upon leaving ACT Health.

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

- (1) Under the terms of engagement, ACT Health does not require staff to sign a confidentiality agreement.

In accordance with section 9 of the *Public Sector Management Act 1994*, a public servant must not without lawful authority disclose confidential information gained through the servant's job.

When an employee resigns from ACT Health they are not required to sign a non-disclosure agreement. Under section 153 (2) of the *Crimes Act 1990*, an officer must not disclose without lawful authority, any fact or document which came into his or her knowledge by virtue of the person having been an officer of the Territory.

ACT Health recommends that all staff complete the Privacy and Confidentiality eLearning course.

(2) See above.

(3) No. If the employee separates employment through a settlement process, with the approval of the Solicitor-General, the terms of settlement may be subject to confidentiality provisions and cannot be disclosed where this is necessary to protect the Territory's interests.

### **ACT Health—staffing (Question No 1857)**

**Mr Coe** asked the Minister for Mental Health, upon notice, on 21 September 2018:

In relation to recruitment of (a) frontline service or health professional roles, and (b) ACT Public Service, administrative or bureaucratic roles during each financial year from 2015-16 to date, what was the (a) total number of roles or positions advertised broken down by job category or type, (b) total number of applicants for roles or positions advertised broken down by job category or type, (c) total number of applicants from (i) interstate and (ii) overseas for roles or positions advertised broken down by job category or type, (d) average length of time each type of role or position was advertised broken down by job category or type, (e) average number of applicants for each type of role or position advertised broken down by job category or type, (f) number of (i) overseas, (ii) interstate and (iii) ACT based successful applicants broken down by job category or type.

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

Please note the data provided below contains information relevant for the whole of ACT Health as it is not possible to single out information specifically for Mental Health.

#### **2015/16**

##### **Total Applicants**

<b>Job Category</b>	<b>No. roles advertised</b>	<b>ACT</b>	<b>Interstate</b>	<b>Overseas</b>	<b>Total No. of Applicants</b>	<b>Average number of applicants for each role</b>
<b>Administrative</b>	346	3269	706	125	4100	11.8
<b>Nurses</b>	231	1156	639	149	1944	8.41
<b>Doctors</b>	87	187	344	154	685	7.87
<b>Health Professionals</b>	272	964	607	181	1752	6.44
<b>TOTAL</b>	<b>936</b>	<b>5576</b>	<b>2296</b>	<b>609</b>	<b>8481</b>	<b>9.06</b>

- Average length of time positions advertised is two weeks

**Successful Applicants**

Job Category	Successful ACT	Successful Interstate	Successful Overseas	Total No. of Successful applicants
Administrative	271	44	0	315
Nurses	256	42	35	333
Doctors	33	11	3	47
Health Professionals	211	22	1	234
<b>TOTAL</b>	<b>771</b>	<b>119</b>	<b>39</b>	<b>929</b>

**2016/17****Total Applicants**

Job Category	No. roles advertised	ACT	Interstate	Overseas	Total No. of Applicants	Average number of applicants for each role
Administrative	376	3402	653	154	4209	11.19
Nurses	311	2106	1489	341	3936	12.65
Doctors	51	315	448	255	1018	19.96
Health Professionals	330	1187	661	184	2032	6.15
<b>TOTAL</b>	<b>1068</b>	<b>7010</b>	<b>3251</b>	<b>934</b>	<b>11195</b>	<b>10.48</b>

- Average length of time positions advertised is two weeks

**Successful Applicants**

Job Category	Successful ACT	Successful Interstate	Successful Overseas	Total No. of Successful applicants
Administrative	285	32	3	320
Nurses	344	112	15	471
Doctors	24	11	2	37
Health Professionals	251	35	1	287
<b>TOTAL</b>	<b>904</b>	<b>190</b>	<b>21</b>	<b>1115</b>

**2017/18****Total Applicants**

Job Category	No. roles advertised	ACT	Interstate	Overseas	Total No. of Applicants	Average number of applicants for each role
Administrative	487	4637	799	142	5578	11.45
Nurses	319	2619	1826	463	4908	15.38
Doctors	60	705	1041	465	2211	3.62
Health Professionals	341	1283	590	102	1975	5.79
<b>TOTAL</b>	<b>1757</b>	<b>9244</b>	<b>4256</b>	<b>1172</b>	<b>14672</b>	<b>8.35</b>

- Average length of time positions advertised for is two weeks

#### Successful Applicants

Job Category	Successful ACT	Successful Interstate	Successful Overseas	Total No. of Successful applicants
Administrative	356	50	2	408
Nurses	322	86	47	455
Doctors	25	7	2	34
Health Professionals	217	43	2	262
<b>TOTAL</b>	<b>920</b>	<b>186</b>	<b>53</b>	<b>1159</b>

#### ACT Health—staffing (Question No 1858)

**Mr Coe** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

In relation to recruitment of (a) frontline service or health professional roles, and (b) ACT Public Service, administrative or bureaucratic roles during each financial year from 2015-16 to date, what was the (a) total number of roles or positions advertised broken down by job category or type, (b) total number of applicants for roles or positions advertised broken down by job category or type, (c) total number of applicants from (i) interstate and (ii) overseas for roles or positions advertised broken down by job category or type, (d) average length of time each type of role or position was advertised broken down by job category or type, (e) average number of applicants for each type of role or position advertised broken down by job category or type, (f) number of (i) overseas, (ii) interstate and (iii) ACT based successful applicants broken down by job category or type.

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

Please note the data provided below contains information relevant for the whole of ACT Health as it is not possible to single out information specifically for Mental Health.

#### 2015/16

#### Total Applicants

Job Category	No. roles advertised	ACT	Interstate	Overseas	Total No. of Applicants	Average number of applicants for each role
Administrative	346	3269	706	125	4100	11.8
Nurses	231	1156	639	149	1944	8.41
Doctors	87	187	344	154	685	7.87
Health Professionals	272	964	607	181	1752	6.44
<b>TOTAL</b>	<b>936</b>	<b>5576</b>	<b>2296</b>	<b>609</b>	<b>8481</b>	<b>9.06</b>

- Average length of time positions advertised is two weeks

**Successful Applicants**

Job Category	Successful ACT	Successful Interstate	Successful Overseas	Total No. of Successful applicants
Administrative	271	44	0	315
Nurses	256	42	35	333
Doctors	33	11	3	47
Health Professionals	211	22	1	234
<b>TOTAL</b>	<b>771</b>	<b>119</b>	<b>39</b>	<b>929</b>

**2016/17****Total Applicants**

Job Category	No. roles advertised	ACT	Interstate	Overseas	Total No. of Applicants	Average number of applicants for each role
Administrative	376	3402	653	154	4209	11.19
Nurses	311	2106	1489	341	3936	12.65
Doctors	51	315	448	255	1018	19.96
Health Professionals	330	1187	661	184	2032	6.15
<b>TOTAL</b>	<b>1068</b>	<b>7010</b>	<b>3251</b>	<b>934</b>	<b>11195</b>	<b>10.48</b>

- Average length of time positions advertised is two weeks

**Successful Applicants**

Job Category	Successful ACT	Successful Interstate	Successful Overseas	Total No. of Successful applicants
Administrative	285	32	3	320
Nurses	344	112	15	471
Doctors	24	11	2	37
Health Professionals	251	35	1	287
<b>TOTAL</b>	<b>904</b>	<b>190</b>	<b>21</b>	<b>1115</b>

**2017/18****Total Applicants**

Job Category	No. roles advertised	ACT	Interstate	Overseas	Total No. of Applicants	Average number of applicants for each role
Administrative	487	4637	799	142	5578	11.45
Nurses	319	2619	1826	463	4908	15.38
Doctors	60	705	1041	465	2211	3.62
Health Professionals	341	1283	590	102	1975	5.79
<b>TOTAL</b>	<b>1757</b>	<b>9244</b>	<b>4256</b>	<b>1172</b>	<b>14672</b>	<b>8.35</b>

- Average length of time positions advertised for is two weeks

**Successful Applicants**

Job Category	Successful ACT	Successful Interstate	Successful Overseas	Total No. of Successful applicants
Administrative	356	50	2	408
Nurses	322	86	47	455
Doctors	25	7	2	34
Health Professionals	217	43	2	262
<b>TOTAL</b>	<b>920</b>	<b>186</b>	<b>53</b>	<b>1159</b>

**ACT Health—staff remuneration  
(Question No 1859)**

**Mr Coe** asked the Minister for Mental Health, upon notice, on 21 September 2018:

- (1) What was the total number of Attraction and Retention Initiatives broken down by (a) FTE, (b) headcount and (c) classification during (i) 2015-16, (ii) 2016-17, (iii) 2017-18 and (iv) 2018-19 to date.
- (2) What was the average remuneration rates for each classification identified in part (1).

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

- (1) (a) and (c)

**Staff covered by ARIns - FTE By Classification Group**

Classification Group	2015-16	2016-17	2017-18	2018-19
Clinical Coders	0.00	0.00	9.60	9.83
Career Medical Officers 2	0.15	0.15	0.15	0.52
Dental Officers 1/2	11.52	11.13	10.09	11.30
Dental Officers 3	1.80	2.94	2.74	2.74
Facilities Service Officers 7/8	0.00	9.00	8.00	6.00
Health Professional Officers 2	26.83	13.54	14.44	12.20
Health Professional Officers 3	35.20	40.64	40.22	39.42
Health Professional Officers 4	33.96	28.47	33.49	31.72
Health Professional Officers 5	1.80	6.80	3.00	2.00
Health Professional Officers 6	4.00	3.80	3.80	2.90
Registered Nurse RN 5.6	1.00	1.00	1.00	1.00
Registrars	1.00	1.00	1.00	1.00
Senior Career Medical Officers	0.84	0.84	0.84	1.68
Senior Info Tech Officers A/B/C	2.00	1.00	1.00	1.00
Senior Officers A	5.00	4.00	1.00	0.00
Senior Officers B	2.00	1.00	2.00	2.00
Senior Officers C	3.00	3.00	1.00	1.00
Specialists	41.67	45.90	52.63	67.73
Senior Specialists	74.71	72.58	68.48	77.98
Transitional Career Medical Officers	2.00	2.00	2.00	2.00
<b>Grand Total</b>	<b>248</b>	<b>249</b>	<b>256</b>	<b>274</b>



(1) (b) and (c)

**Staff Covered by ARIns - Headcount by Classification Group**

<b>Classification Group</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Clinical Coders	0.00	0.00	11.00	10.00
Career Medical Officers 2	3.00	3.00	3.00	3.00
Dental Officers 1/2	14.00	14.00	13.00	15.00
Dental Officers 3	2.00	3.00	3.00	3.00
Facilities Service Officers 7/8	0.00	9.00	8.00	6.00
Health Professional Officers 2	29.00	15.00	17.00	14.00
Health Professional Officers 3	44.0	50.0	50.0	47.0
Health Professional Officers 4	38.0	32.0	37.0	35.0
Health Professional Officers 5	2.0	7.0	3.0	2.0
Health Professional Officers 6	4.0	4.0	4.0	3.0
Registered Nurse RN 5.6	1.0	1.0	1.0	1.0
Registrars	1.0	1.0	1.0	1.0
Senior Career Medical Officers	1.0	1.0	1.0	2.0
Senior Info Tech Officers A/B/C	2.0	1.0	1.0	1.0
Senior Officers A	5.0	4.0	1.0	0.0
Senior Officers B	2.0	1.0	2.0	2.0
Senior Officers C	3.0	3.0	1.0	1.0
Specialists	52.0	55.0	65.0	85.0
Senior Specialists	81.0	79.0	76.0	88.0
Transitional Career Medical Officers	2.0	2.0	2.0	2.0
<b>Grand Total</b>	<b>286</b>	<b>285</b>	<b>300</b>	<b>321</b>

(2)

**All Staff - Average Remuneration (Salary plus ARIn and applicable allowances)**

<b>Classification Group</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Clinical Coders	\$85,958	\$83,225	\$97,211	\$92,160
Career Medical Officers 2	\$373,126	\$252,257	\$237,207	\$245,507
Dental Officers 1/2	\$140,435	\$135,765	\$139,962	\$140,573
Dental Officers 3	\$182,978	\$160,848	\$166,190	\$165,882
Facilities Service Officers 7/8	\$61,486	\$67,514	\$84,762	\$74,744
Health Professional Officers 2	\$80,355	\$82,667	\$83,522	\$82,245
Health Professional Officers 3	\$93,100	\$94,987	\$95,423	\$96,342
Health Professional Officers 4	\$107,854	\$109,888	\$109,062	\$109,637
Health Professional Officers 5	\$124,933	\$128,823	\$128,270	\$126,786
Health Professional Officers 6	\$133,260	\$135,175	\$142,343	\$142,020
Registered Nurse RN 5.6	\$168,008	\$175,656	\$175,763	\$175,763
Registrars	\$119,919	\$118,691	\$119,368	\$120,373
Senior Career Medical Officers	\$220,408	\$235,977	\$227,022	\$226,933
Senior Info Tech Officers A/B/C	\$104,967	\$140,219	\$137,603	\$141,030
Senior Officers A	\$136,043	\$136,963	\$142,508	\$136,918
Senior Officers B	\$122,223	\$128,699	\$124,226	\$124,528
Senior Officers C	\$102,286	\$105,360	\$105,108	\$105,234
Specialists	\$344,111	\$348,516	\$349,447	\$350,000
Senior Specialists	\$430,988	\$436,599	\$417,229	\$420,000
Transitional Career Medical Officers	\$223,478	\$238,758	\$238,698	\$238,853

- 2018/19 dollar amounts for Specialists and Senior Specialists are estimates to date, as final amounts will depend on Private Practice earnings.
- Clinical Coders and Facilities Service Officers received a large amount of back pay in 2017/18.

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**ACT Health—staff remuneration  
(Question No 1860)**

**Mr Coe** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) What was the total number of Attraction and Retention Initiatives broken down by (a) FTE, (b) headcount and (c) classification during (i) 2015-16, (ii) 2016-17, (iii) 2017-18 and (iv) 2018-19 to date.
- (2) What was the average remuneration rates for each classification identified in part (1).

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

- (1) (a) and (c)

**Staff covered by ARIns - FTE By Classification Group**

<b>Classification Group</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Clinical Coders	0.00	0.00	9.60	9.83
Career Medical Officers 2	0.15	0.15	0.15	0.52
Dental Officers 1/2	11.52	11.13	10.09	11.30
Dental Officers 3	1.80	2.94	2.74	2.74
Facilities Service Officers 7/8	0.00	9.00	8.00	6.00
Health Professional Officers 2	26.83	13.54	14.44	12.20
Health Professional Officers 3	35.20	40.64	40.22	39.42
Health Professional Officers 4	33.96	28.47	33.49	31.72
Health Professional Officers 5	1.80	6.80	3.00	2.00
Health Professional Officers 6	4.00	3.80	3.80	2.90
Registered Nurse RN 5.6	1.00	1.00	1.00	1.00
Registrars	1.00	1.00	1.00	1.00
Senior Career Medical Officers	0.84	0.84	0.84	1.68
Senior Info Tech Officers A/B/C	2.00	1.00	1.00	1.00
Senior Officers A	5.00	4.00	1.00	0.00
Senior Officers B	2.00	1.00	2.00	2.00
Senior Officers C	3.00	3.00	1.00	1.00
Specialists	41.67	45.90	52.63	67.73
Senior Specialists	74.71	72.58	68.48	77.98
Transitional Career Medical Officers	2.00	2.00	2.00	2.00
<b>Grand Total</b>	<b>248</b>	<b>249</b>	<b>256</b>	<b>274</b>

(1) (b) and (c)

**Staff Covered by ARIns - Headcount by Classification Group**

<b>Classification Group</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Clinical Coders	0.00	0.00	11.00	10.00
Career Medical Officers 2	3.00	3.00	3.00	3.00
Dental Officers 1/2	14.00	14.00	13.00	15.00
Dental Officers 3	2.00	3.00	3.00	3.00
Facilities Service Officers 7/8	0.00	9.00	8.00	6.00
Health Professional Officers 2	29.00	15.00	17.00	14.00
Health Professional Officers 3	44.0	50.0	50.0	47.0
Health Professional Officers 4	38.0	32.0	37.0	35.0
Health Professional Officers 5	2.0	7.0	3.0	2.0
Health Professional Officers 6	4.0	4.0	4.0	3.0
Registered Nurse RN 5.6	1.0	1.0	1.0	1.0
Registrars	1.0	1.0	1.0	1.0
Senior Career Medical Officers	1.0	1.0	1.0	2.0
Senior Info Tech Officers A/B/C	2.0	1.0	1.0	1.0
Senior Officers A	5.0	4.0	1.0	0.0
Senior Officers B	2.0	1.0	2.0	2.0
Senior Officers C	3.0	3.0	1.0	1.0
Specialists	52.0	55.0	65.0	85.0
Senior Specialists	81.0	79.0	76.0	88.0
Transitional Career Medical Officers	2.0	2.0	2.0	2.0
<b>Grand Total</b>	<b>286</b>	<b>285</b>	<b>300</b>	<b>321</b>

(2)

**All Staff - Average Remuneration (Salary plus ARIn and applicable allowances)**

<b>Classification Group</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>
Clinical Coders	\$85,958	\$83,225	\$97,211	\$92,160
Career Medical Officers 2	\$373,126	\$252,257	\$237,207	\$245,507
Dental Officers 1/2	\$140,435	\$135,765	\$139,962	\$140,573
Dental Officers 3	\$182,978	\$160,848	\$166,190	\$165,882
Facilities Service Officers 7/8	\$61,486	\$67,514	\$84,762	\$74,744
Health Professional Officers 2	\$80,355	\$82,667	\$83,522	\$82,245
Health Professional Officers 3	\$93,100	\$94,987	\$95,423	\$96,342
Health Professional Officers 4	\$107,854	\$109,888	\$109,062	\$109,637
Health Professional Officers 5	\$124,933	\$128,823	\$128,270	\$126,786
Health Professional Officers 6	\$133,260	\$135,175	\$142,343	\$142,020
Registered Nurse RN 5.6	\$168,008	\$175,656	\$175,763	\$175,763
Registrars	\$119,919	\$118,691	\$119,368	\$120,373
Senior Career Medical Officers	\$220,408	\$235,977	\$227,022	\$226,933
Senior Info Tech Officers A/B/C	\$104,967	\$140,219	\$137,603	\$141,030
Senior Officers A	\$136,043	\$136,963	\$142,508	\$136,918
Senior Officers B	\$122,223	\$128,699	\$124,226	\$124,528
Senior Officers C	\$102,286	\$105,360	\$105,108	\$105,234
Specialists	\$344,111	\$348,516	\$349,447	\$350,000
Senior Specialists	\$430,988	\$436,599	\$417,229	\$420,000
Transitional Career Medical Officers	\$223,478	\$238,758	\$238,698	\$238,853

- 2018/19 dollar amounts for Specialists and Senior Specialists are estimates to date, as final amounts will depend on Private Practice earnings.
- Clinical Coders and Facilities Service Officers received a large amount of back pay in 2017/18.

### **ACT Health—staffing (Question No 1861)**

**Mr Coe** asked the Minister for Mental Health, upon notice, on 21 September 2018:

What was the average tenure or number of years staff worked in roles at ACT Health broken down by (a) job category and (b) specialty or field during (i) 2015-16, (ii) 2016-17, (iii) 2017-18 and (iv) 2018-19 to date.

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

The average tenure for an employee of the Health Directorate is 7.6 years.

Row Labels	29-Jun-16	28-Jun-17	27-Jun-18	19-Sep-18
Administrative Officers	7.6	7.6	7.7	7.7
Dental	10.1	8.2	7.3	6.5
Executive Officers	9.0	8.9	9.5	10.2
General Service Officers and Equivalent	8.3	8.8	8.9	9.3
Health Assistants	5.7	6.5	6.6	6.1
Health Professional Officers	7.4	7.5	7.8	7.8
Information Technology Officers	15.2	16.2	24.7	24.9
Legal Officers	14.0	15.0	16.0	16.3
Medical Officers	4.4	4.6	4.7	4.8
Nursing Staff	8.0	7.9	8.0	7.8
Professional Officers	4.5	3.8	3.9	4.4
Senior Officers	10.4	10.2	10.0	9.8
Technical Officers	8.6	8.7	9.1	8.6
Trainees and Apprentices	1.0	1.4	2.8	2.4
<b>Grand Total</b>	<b>7.5</b>	<b>7.6</b>	<b>7.7</b>	<b>7.6</b>

**Disclaimer:**

- (1) Information provided in the dataset reports the employee's category when they resign from the Directorate.
- (2) If any employee resigns from one position to accept a new position within the same directorate, and without a break in service, it is not counted in the statistics above.
- (3) If the employee is recruited as a nurse and later transition into an administrative role without a break in service, their tenure is recorded as an administrative officer and not a nurse.

### **ACT Health—staffing (Question No 1862)**

**Mr Coe** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

What was the average tenure or number of years staff worked in roles at ACT Health broken down by (a) job category and (b) specialty or field during (i) 2015-16, (ii) 2016-17, (iii) 2017-18 and (iv) 2018-19 to date.

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

The average tenure for an employee of the Health Directorate is 7.6 years.

Row Labels	29-Jun-16	28-Jun-17	27-Jun-18	19-Sep-18
Administrative Officers	7.6	7.6	7.7	7.7
Dental	10.1	8.2	7.3	6.5
Executive Officers	9.0	8.9	9.5	10.2
General Service Officers and Equivalent	8.3	8.8	8.9	9.3
Health Assistants	5.7	6.5	6.6	6.1
Health Professional Officers	7.4	7.5	7.8	7.8
Information Technology Officers	15.2	16.2	24.7	24.9
Legal Officers	14.0	15.0	16.0	16.3
Medical Officers	4.4	4.6	4.7	4.8
Nursing Staff	8.0	7.9	8.0	7.8
Professional Officers	4.5	3.8	3.9	4.4
Senior Officers	10.4	10.2	10.0	9.8
Technical Officers	8.6	8.7	9.1	8.6
Trainees and Apprentices	1.0	1.4	2.8	2.4
<b>Grand Total</b>	<b>7.5</b>	<b>7.6</b>	<b>7.7</b>	<b>7.6</b>

**Disclaimer:**

- (1) Information provided in the dataset reports the employee's category when they resign from the Directorate.
- (2) If any employee resigns from one position to accept a new position within the same directorate, and without a break in service, it is not counted in the statistics above.
- (3) If the employee is recruited as a nurse and later transition into an administrative role without a break in service, their tenure is recorded as an administrative officer and not a nurse.

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**Schools—asbestos  
(Question No 1863)**

**Mr Coe** asked the Minister for Education and Early Childhood Development, upon notice, on 21 September 2018:

Has the contractor or subcontractor responsible for the asbestos at Harrison Schools been engaged for any other work by the ACT Government; if yes, (a) what work has the contractor or subcontractor undertaken, (b) what is the contract number or numbers, (c) what is the value for work or works, (d) have any further tests, assessments or evaluations been undertaken of those works since the asbestos was found at Harrison Schools; if so, what were the results or findings of the tests and assessments

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

The contractor or subcontractor responsible for the asbestos at Harrison School has not been identified at this time. WorkSafe ACT is leading the investigation into the source of the material.

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**Schools—asbestos  
(Question No 1864)**

**Mr Coe** asked the Minister for Education and Early Childhood Development, upon notice, on 21 September 2018:

Has the ACT Government sought legal advice in relation to the asbestos found at Harrison Schools; if so, what date was the advice (a) sought and (b) received.

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

The Directorate has not sought legal advice in relation to the asbestos found at Harrison School.

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**Schools—asbestos  
(Question No 1865)**

**Mr Coe** asked the Minister for Education and Early Childhood Development, upon notice, on 21 September 2018:

- (1) In relation to the asbestos found in Harrison Schools, what is the (a) budget of the removal operation and (b) total spend to date.
- (2) How will the asbestos be removed from Harrison Schools and what safety risks are involved for students, parents, school faculty, and asbestos removalists.
- (3) What date is the asbestos removal operation at Harrison expected to be complete.
- (4) What arrangements have been made for external entities or community groups to access and use school facilities, such as school halls, during the asbestos removal operation.

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

- (1)(a) The total costs are yet to be determined.
- (b) The total costs to date are \$78,801.
- (2) The asbestos at Harrison School will be removed by licenced and experienced asbestos removalists to an agreed methodology under the superintendency of an independent licenced asbestos assessor. The removal methodology ensures risks to students, parents, school faculty and asbestos removalists are kept to a minimum. The procedure includes air monitoring, the establishment of exclusion zones, decontamination areas, clearance sampling and full control of the site by the managing contractor. No unauthorised persons will be permitted onto the site while works are being carried out.

- (3) The removal of asbestos at Harrison School was completed by Sunday 14 October 2018.
- (4) Alternative arrangements have been made for staff and users who would have otherwise been on site during this period.

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**Municipal services—drinking water stations  
(Question No 1866)**

**Ms Lee** asked the Minister for City Services, upon notice, on 21 September 2018:

- (1) Which local shops have drinking water stations in (a) Belconnen, (b) Gungahlin, (c) Inner North, (d) Inner South, (e) Molonglo Valley, (f) Woden, (g) Weston Creek and (h) Tuggeranong.
- (2) When was each drinking water station installed.
- (3) What was the cost per water station for installation.
- (4) Can the Minister provide the criteria used to select these local shops to have a drinking water station installed.

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

- (1) As stated in the response to Question on Notice 1632, the local shops (which include town centres) in the following areas have access to drinking water stations (and drinking fountains) within 20 metres:
  - 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

Looking only at only local suburban shops where water stations are within 50 metres, not including larger town centres, the following figures apply:

- a. Belconnen, 1 water station at the Cook shops was installed in 2016
- b. Gungahlin = 0
- c. Inner North = 0
- d. Inner South = 0
- e. Molonglo Valley = 0
- f. Woden, 1 water station at the Hughes shops installed in 2016
- g. Weston, 1 water station at the Chapman shops installed in 2015
- h. Tuggeranong, 1 water station at the Kambah shops on Mannheim St installed in 2016.

- (2) Approximately 30 drinking fountains in total were installed between 2013-14 and 2014-15 as part of the 'Healthy Weight Action Plan'. This program prioritised installations in key public locations such as town centres, sporting fields, and schools to replace existing infrastructure that was impaired and to install new infrastructure based on public survey. This program also provided improvements to the drinking refill stations for public events. Final locations were based on public consultation and internal modelling.
  - (3) The cost per water station was approximately \$5,560 while the installation cost for each station ranged between \$7,000 and \$11,000 depending on the distance to a water main, the costs of tapping into a water main and whether a water meter and other infrastructure was required.
  - (4) This was an initiative driven by ACT Health while TCCS provided potential locations for placement and arranged installation. Considerations given to the placement of the drinking stations included:
    - a. If the shopping centre had an existing water fountain;
    - b. If the area to be considered was a high use shopping centre;
    - c. Access to water mains and other infrastructure; and
    - d. Public consultation.
- 

**Centenary Hospital for Women and Children—upgrade program  
(Question No 1867)**

**Mrs Dunne** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) What specific works were undertaken in the birthing suite refurbishment project at the Centenary Hospital for Women and Children.
- (2) Were any of these works related to building defects; if yes, (a) what were they, (b) how much did they cost and (c) why were they not covered under building defects warranty provisions in the relevant construction contracts.
- (3) Were any of these works required to rectify damage caused by faults or breakdowns in other building components; if yes, (a) what were the relevant building components, (b) what were the faults or breakdowns, (c) what damage did they cause and how much did the repairs cost.

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

- (1) This project involved works to replace existing spindle extensions with mixing valves and associated works. These works are required to address identified issues within the suite. Both the works and investigation to determine their cause are ongoing.
  - (2) See (1)
  - (3) See (1)
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## ACT Health—proposed organisational changes (Question No 1868)

**Mrs Dunne** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) How many workshops have been scheduled to discuss, consult on, or otherwise consider the restructure since the Chief Minister's decision to restructure the Health Directorate.
- (2) Have all the scheduled workshops been held; if not, why not, how many were cancelled and what costs were incurred for cancelled workshops.
- (3) For each workshop held (a) when was it held, (b) where was it held, (c) who facilitated it, (d) if there was a keynote speaker, who was it, (e) how many people attended by (i) senior executive staff, (ii) executive level staff and (iii) other staff and (f) what were the costs for (i) venue hire, (ii) catering and (iii) other costs (specify any individually that cost \$1000 or more).
- (4) For each workshop yet to be held (a) when will it be held, (b) where will it be held, (c) who will facilitate it, (d) if there is to be a keynote speaker, who is it, (e) how many people are anticipated to attend by (i) senior executive staff, (ii) executive level staff and (iii) other staff and (f) what are the budgeted costs for (i) venue hire, (ii) catering and (iii) other costs (specify any individually that cost \$1000 or more).

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

- (1) The process to transition involved both, one-on-one and team meetings. The Transition Office has also undertaken over 240 one-on-one meetings, 58 presentations and group forums and 11 external stakeholder meetings, as well as responding to many direct staff submissions.

A number of workshops were also held as part of the transition phase: seven leadership workshops (two collaborative leadership events and five executive workshops), seven consultation sessions with Nous Group, four all staff forums and one corporate services workshop.

- (2) Yes.
- (3) Please refer to the following table.
- (4) Any future workshops are yet to be confirmed.

Workshop	Date held	Venue	Facilitator / Keynote speaker	Attendees	Costs
<b>Form and function</b>					
All staff forum	14 June (1 hour)	Canberra Hospital Auditorium	Michael De'Ath, Interim Director-General	150 various levels	
All staff forum	14 June (1 hour)	ACT Health Bowes Street Woden	Michael De'Ath, Interim Director-General	231 various levels	Audio visual equipment: \$1190.20 (including GST)  Chair hire - \$820.20 (incl GST)

Workshop	Date held	Venue	Facilitator / Keynote speaker	Attendees	Costs
<b>Executive and corporate workshops</b>					
Executive workshop 1	10 July (3.5 hours)	ACT Health Bowes St Woden	Catherina O'Leary, Transition Office (internal)	43 executive level	Catering - \$664.50 including GST
Executive workshop 2	18 July (4 hours)	ACT Health Bowes St Woden	Catherina O'Leary, Transition Office & Organisation Development Unit (internal)	40 executive level	Catering - \$450.00 including GST
Executive workshop 3	8 August (4 hours)	ACT Health Bowes St Woden	Catherina O'Leary, Transition Office & Organisation Development Unit (internal)  Jennifer Bennett (Spring Green Consulting)	38 executive level	nil
Corporate support functions	24 August (3 hours)	ACT Health Bowes St Woden	Catherina O'Leary, Transition Office (internal)  Jennifer Bennett (Spring Green Consulting)	18 executive level  14 other	nil
Executive workshop 4	28 August (2 hours)	ACT Health Bowes St Woden	Catherina O'Leary, Transition Office (internal)	42 executive level	nil
Executive workshop 5	25 September (1 hour)	ACT Health Bowes St Woden	Michael De'Ath, Director-General	43 executive level	nil
<b>Governance consultations</b>					
Professional Leaders	2 July (90 min)	Canberra Hospital	Robert Griew (Nous) & Catherina O'Leary, Transition Office	4 executive level	nil
Clinical Executive Directors	2 July (90 min)	Canberra Hospital	Robert Griew (Nous) & Catherina O'Leary, Transition Office	13 executive level	nil
Corporate Executive Directors	6 July (90 min)	ACT Health Bowes St Woden	Robert Griew (Nous) & Catherina O'Leary, Transition Office	9 executive level	nil
NGO sector	17 July (90 min)	ACT Health Bowes St Woden	Robert Griew (Nous) & Catherina O'Leary, Transition Office	External	nil
All staff	17 July (90 min)	Canberra Hospital Auditorium	Robert Griew (Nous) & Catherina O'Leary, Transition Office	64 all levels	nil
Medical Colleges	17 July (90 min)	ACT Health Bowes St Woden	Robert Griew (Nous) & Catherina O'Leary, Transition Office	External	nil
All staff	18 July (90 min)	ACT Health Bowes St Woden	Robert Griew (Nous) & Catherina O'Leary, Transition Office	117 all levels	nil
Medical associations and unions	18 July (90 min)	ACT Health Bowes St Woden	Robert Griew (Nous) & Catherina O'Leary, Transition Office	External	nil
Academic Partners	6 August (90 min)	ACT Health Bowes St Woden	Robert Griew (Nous) & Catherina O'Leary, Transition Office	External	nil

Workshop	Date held	Venue	Facilitator / Keynote speaker	Attendees	Costs
<b>Collaborative Leadership</b>					
Event 1	14 August (full day)	National Museum	Organisation Development Unit Transition Office  Bruce McCabe (keynote)	5 senior executive 28 executive level 106 other	Venue hire: \$850 Catering: \$13,600 Keynote speaker: \$9,500 (excl GST).
Event 2	13 September (full day)	National Museum	Organisation Development Unit  Transition Office  Abby Rees (keynote)	5 senior executive  15 executive level  108 other	Venue hire: \$850 Catering: \$12,160 Keynote speaker: \$3,300 (excl GST).
<b>Staff forums</b>					
All staff	6 September	ACT Health Bowes St Woden	Michael De'Ath, Director-General	277 all levels	Audio visual: \$2263.81 (including GST)  Chair hire: \$778.80 (including GST)
All staff	6 September	Canberra Hospital Auditorium	Michael De'Ath, Director-General	150 all levels	nil

### Canberra Hospital—radiology department (Question No 1869)

**Mrs Dunne** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

Is the Government considering, in any way either formally or informally, privatisation of (a) its medical imaging services or (b) any element of its medical imaging services at The Canberra Hospital; if yes, (a) is the Government complying fully with the privatisation provisions of relevant enterprise bargaining agreements and (b) what procedures are in place to ensure full compliance with relevant enterprise bargaining agreements.

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

- (1) a) No
- b) No

### Canberra Hospital—radiology department (Question No 1870)

**Mrs Dunne** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) For each month during 2018, up to the date on which this question was placed on the questions on notice paper (a) how many CT scans taken at the Canberra Hospital were sent off-site for analysis and reporting and (b) why were CT scans sent off-site for analysis and reporting.
- (2) Does ACT Health or Canberra Hospital and Health Services have contracts with external providers to analyse and report on CT scans; if yes (a) who are the contractors, (b) what is the value of each contract, (c) what are the contract numbers, (d) what indemnities are in place for the government and (e) what indemnities are in place for each contractor.
- (3) If there is no contract, what governance, including, but not limited to, indemnities, are in place for off-site analysis and reporting of CT scans.

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

- (1)
  - a) Between 1 Jan 2018 to 21 September 2018, there have been 833 studies reported by the offsite reporter.
  - b) Medical imaging is a critical tool for clinicians to ensure timely outcomes for patients. Using an offsite provider provides timely access to results to ensure appropriate continuity of care. This is a strategy that has the support of senior radiologists and is used in hospitals across the country. This strategy will continue to be used to manage unplanned leave, and is not planned to be long term.
- (2)
  - a) Canberra Health Services (CHS) has one offsite provider (Everlight) to report studies.
  - b) For computerised tomography (CT) scans in the period 1 January 2018 to 21 September 2018, the value is approximately \$100, 000.
  - c) CHS has confirmed that all procurement processes were followed for the original service agreement, however we are advised that the contract was not loaded onto the register at the time. Canberra Hospital Services can confirm that following a recent procurement process, we are currently finalising a new contract and this will be published on the contract register. Once completed, we expect this to be finalised by the end of November 2018.
  - d) Medical indemnity insurance is provided by the contractor for all reporting radiologists.
  - e) Public liability insurance, professional indemnity insurance and workers compensation
- (3) Not applicable

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**Government—meetings  
(Question No 1871)**

**Mrs Dunne** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) In relation to the answer to question on notice No 1574, what are the terms of reference for the Building Health Services Program strategy steering committee.
- (2) Did Ms Gallagher make a declaration to the committee of any perceived or actual conflicts of interest; if yes, what were those conflicts; if not, why not.
- (3) What measures did the ACT Government have in place to manage any actual or perceived conflict of interests, whether declared or not.
- (4) By what date is the committee to report to the ACT Government.

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

1. The Terms of Reference for the Building Health Services Program (BHSP) Strategy Steering Committee are at Attachment A.
2. Ms Gallagher was a non-member attendee of the Committee rather than a member. Non-members of the Committee are not required to disclose interests.
3. The Committee actively manages conflict of interest issues through a requirement for open disclosure by members of potential or perceived conflict of interest issues.
4. The outcomes of the BHSP Strategy Steering Committee will inform submissions to Government intended to occur prior to the end of the year.

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

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### **ACT Health—workplace culture (Question No 1872)**

**Mrs Dunne** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) How many inquiries have been held into issues of organisational culture, bullying and harassment in ACT Health since 2008.
- (2) When were these inquiries held.
- (3) Who conducted them.
- (4) What powers did these inquiries have.
- (5) What protections were in place for witnesses giving evidence before them.
- (6) What were the (a) findings and (b) recommendations.
- (7) What were the Government's responses.
- (8) Which recommendations were implemented.
- (9) Which recommendations were not implemented.

- (10) Why were they not implemented.
- (11) What on-going and sustainable improvements did the implemented recommendations yield.
- (12) Which inquiry (a) reports and (b) Government responses were made public.
- (13) For any that were not made public, why.

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

- (1) There have been no inquiries as defined by the *Inquiries Act*.
- (2) Not applicable.
- (3) Not applicable.
- (4) Not applicable.
- (5) Not applicable.
- (6) (a) and (b) Not applicable.
- (7) Not applicable.
- (8) Not applicable.
- (9) Not applicable.
- (10) Not applicable.
- (11) Not applicable.
- (12) (a) and (b) Not applicable.
- (13) Not applicable.

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**Health—palliative care  
(Question No 1873)**

**Mrs Kikkert** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) How many staff at ACT aged-care facilities have been trained in palliative care and how many staff were trained in the years (a) 2017 and (b) 2018 to date.
- (2) When did palliative care training for ACT aged-care facilities staff commence.
- (3) How long does training last and how often are staff trained.
- (4) How long is each training session.

- (5) How many staff from each aged-care facility in the ACT are trained in palliative care.
- (6) How many staff from each aged-cared facility are not trained in palliative care.
- (7) How much does provision of such training cost (including paying staff who undertake the training as part of their work) and how much of this cost is supported by the ACT Government.

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

- (1) Calvary, through the Specialist Palliative Care Service operating from Clare Holland House, is a provider of the Commonwealth Government funded national Program of Experience in the Palliative Approach (PEPA) training. PEPA is relevant to and provided to people working in a range of settings, including Residential Aged Care Facilities (RACF).

Calvary's data is not maintained according to these reporting periods. In the period 1 January 2015 to 30 June 2017, 258 RACF staff undertook PEPA training, from 1 November 2017 to date, 66 RACF staff completed PEPA training.

- (2) PEPA commenced in 2003. Calvary has provided ongoing formal and informal palliative and end of life care education, training and assistance to other health services and workers since it began operating the ACT Hospice in 1995.
- (3) In the ACT the training lasts for an indefinite period. RACF staff who seek additional training may gain that from workshops (see detail below) or by contacting Calvary's Palliative Care Nurse Practitioners and the Clare Holland House Nurse Educator if they need general assistance or guidance around the aspects of care for a single resident.
- (4) In the ACT the following PEPA education and training programs are available:
  - Aged Care Workshops – four hours duration;
  - Palliative Approach Workshop – eight hours duration;
  - Clinical Placements at ACT Specialist Palliative Care Service – three to five days; and
  - Reverse PEPA Clinical Training – a Calvary Specialist Palliative Care Service Team member spends three days embedded in a Residential Aged Care Facility working alongside staff.
- (5) Calvary cannot provide numbers for specific facilities, but since 1 January 2015, 324 staff from RACFs have undertaken PEPA training, 76 of whom participated in clinical placements or reverse placements. RACFs may provide other training for staff using other methods including approved training organisations and other Commonwealth Department of Health initiatives.
- (6) Calvary is not able to respond to this question.
- (7) PEPA program funding for the past four financial years was:

FY14/15	\$114,925
FY15/16	\$118,127
FY16/17	\$202,174
FY17/18	\$116,212

It is not possible to calculate the proportion of time Calvary's Palliative Care Nurse Practitioners and the Clare Holland House Nurse Educator devote to consultative palliative care training, education and skills based training to RACFs. This aspect of palliative care training is funded by the ACT Government.

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**Municipal services—fitness circuits  
(Question No 1874)**

**Mrs Kikkert** asked the Minister for City Services, upon notice, on 21 September 2018:

- (1) What was the cost of installing the most recent two fitness circuits of the three fitness circuits located in the area between the Rainbow Serpent Playground and the University of Canberra Senior Secondary College Lake Ginninderra (along Aikman Drive).
- (2) Who made the decision to install each piece of equipment and what considerations were taken into account as part of the decision-making process.
- (3) Why were the two new fitness circuits installed in this area, rather than in other parks with a demand for fitness equipment, such as Birrell Street playground in Page.

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

- (1) Of the three fitness areas two were constructed in 2009 at a cost \$34,500 and the more recent fitness area was constructed in 2015 at a cost of \$40,000.
- (2) The selection of types of equipment for the 2009 installation was made by the design consultants engaged for delivery of the project and based on a range of requirements, including allowance for a variety of tasks and skill levels.

The selection of the types of equipment for the 2015 installation was based on consultations with key stakeholder groups, including the ACT chapter of the Heart Foundation, the Council of the Aging (COTA) and with the YMCA as well as feedback from the community gathered during public consultation from 20 October to 1 December 2014.

The consultation called for preferences from a selection of various types of equipment that provide exercise in the key fitness areas of cardio, flexibility and strength. Other considerations were that fitness equipment would accommodate the broadest set of users with regards to age, ability and interest; as well as exercises involving bar work and body resistance, which was one of the most frequent requests made during the community consultation.

- (3) The rationale for fitness circuits to be installed in John Knight District Park rather than a local playground, such as Birrell Street in Page, was to achieve best usage levels in order to realise the greatest health benefits for as many people as possible. The district park location was selected for Belconnen as an area near a well-used shared path and highly visited recreational park.



**ACT Health—cultural training  
(Question No 1875)**

**Mrs Kikkert** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) Do ACT Health staff receive ongoing training in cultural competency; if so (a) how many training sessions were held in the year 2018 to date and (b) what staff, and how many staff attended each session.
- (2) Is cultural competency training part of essential staff education as ACT Health staff use a learning management system called “Capabiliti”; if so, what is the nature of the training; if not, why not.
- (3) How many ACT Health staff are currently not compliant in their essential training, as reported on the Performance Information Portal.

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

- (1) ACT Health provides all staff access to Aboriginal and Torres Strait Islander training and Diversity training.
  - a) Aboriginal and Torres Strait Islander training is an e-Learning course therefore is available to all staff at any time.

Diversity training is provided in face to face sessions and is also available on e-Learning. There has been six face to face sessions in 2018.
  - b) Aboriginal and Torres Strait Islander training is available to all ACT Health staff. Currently, 6819 staff (89.30 per cent of all staff) have completed this training.

Diversity training is available to all ACT Health staff. Fifty Seven (57) staff have attended face to face training sessions, and 276 have completed the e-Learning since January 2018.
- (2) Aboriginal and Torres Strait Islander training is identified as essential education in Capabiliti and in Directorate policy. While Diversity training is not identified as essential education, it is a highly recommended training for all ACT Health staff. Refer to the response to question (1) a) for the nature of the training courses.
- (3) As of 12 September 2018 for ACT Health, there are currently 817 staff not compliant. A plan is place to ensure these staff complete this training as soon as practicable.

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**Energy—efficiency  
(Question No 1876)**

**Mrs Kikkert** asked the Minister for Climate Change and Sustainability, upon notice, on 21 September 2018:

- (1) How many workshop presentations on energy efficiency have been delivered to culturally and linguistically diverse (CALD) groups in 2017 and 2018 to date.
- (2) Which CALD groups received workshop presentations, and on what dates in the year 2017 and 2018 were the workshops delivered.

- (3) How were language barrier issues addressed to ensure that members of CALD groups clearly understood the information being presented.
- (4) What were the major concerns raised by the forum during the Q&A session in April 2018 when the Minister presented to the Canberra Multicultural Forum on climate and energy issues and how are these concerns being addressed.

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

- (1) The *Actsmart Programs* delivered workshops to 664 individuals in 2017-18 and 89 individuals in 2018-19 to date, through targeted workshops for CALD community members.
- (2) In 2017-18 targeted workshops were delivered to Chinese, Italian, Spanish and Arabic language groups as well as a series of workshops through the Adult Migrant Education Program in partnership with the Canberra Institute of Technology (CIT).
- (3) Workshops included the use of a translator and resources were tailored in the language of participants.
- (4) Canberra Multicultural Forum members raised two main concerns:
  - Creating a narrative and specific actions around an individual's contribution to reducing emissions to help create a sense of ownership and encourage friendly competition within the community.
  - Support for organisations that engage with those from diverse cultural backgrounds and are new to the community to raise awareness on climate change issues and the work the ACT Government is doing.

Both these issues are to be considered in the development of future climate change policy.

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### **Community Services Directorate—data collection (Question No 1877)**

**Mrs Kikkert** asked the Minister for Community Services and Facilities, upon notice, on 21 September 2018:

- (1) Which Community Service Directorate (CSD) data collection areas have implemented the Common Dataset that the CSD has developed and implemented which provides instruction and guidance on the collecting of data about service users, including the mandatory collection of culturally and linguistically diverse (CALD) backgrounds.
- (2) Which CSD data collection areas have not yet implemented the Common Dataset.
- (3) What is the difference between the data collected currently by these areas and data collection guided by the Common Dataset.
- (4) When was the Common Dataset first implemented, and how long did it take to develop.

- (5) What individuals and groups were consulted as part of the development process for the Common Dataset.
- (6) Who are the key stakeholders that make up the Common Dataset Working Group, and why were they selected to be part of the group.
- (7) When were data quality processes undertaken throughout the year 2018 to date, and what was the nature of each process.
- (8) What issues were identified during these processes, and how are they being addressed.
- (9) Can the Minister provide a copy of the Common Dataset as an attachment; if not, why not.

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

- (1) The Common Dataset provides a guide for the collection of relevant client data. The Common Dataset is not intended to provide an exhaustive list of data required across all service delivery programs, but rather to provide a consistent approach to commonly collected data. It is therefore, anticipated that services will continue to collect additional information specific to their service delivery needs.

Some areas are implementing different parts of the Common Dataset dependent on the service they offer or the limitations of their data collection system. Areas collecting information relating to cultural and linguistic diversity include:

- Child Development Service
- Child Protection services
- Youth Justice
- Housing ACT

All services that will transition to the new Client Management System will be collecting their data using the Common Dataset as a guide. Culturally and linguistically diverse (CALD) backgrounds is a mandatory collection requirement within the Common Dataset.

- (2) The Common Dataset is being implemented across the Directorate through an iterative process. For some business areas the whole of the Common Dataset is not relevant to the service they offer.

All data collecting areas within the Community Services Directorate are implementing relevant items within the Common Dataset.

Full implementation will continue to be undertaken in an iterative way, at natural points of review. This process will take time, but will ensure the Common Dataset is embedded in the most meaningful and effective way. For example, the new client management system will ensure all services using the system are collecting comparable data items.

- (3) The purpose of the Common Dataset is to create a consistent approach to data collection, enabling comparability of client information across services. Differences in data collection relate specifically to the structure and/or format of the data, and the way in which it is collected.

- (4) Early planning for the development of a Common Dataset commenced in December 2015. Consultants were procured to progress the initial drafting of the Common Dataset and conduct co-design workshops with key stakeholders from across the human services system. These stakeholders were internal and external to government.

The Common Dataset continued to evolve throughout 2016 and 2017 and experienced many iterations. Implementation of the Common Dataset commenced in 2017.

The Common Dataset will continue to change as national data standards shift and improve.

- (5) Consultations and co-design processes were conducted in the format of workshops with key stakeholders and data collectors from government and the community sector.

Attendees included staff from CSD, Corrective Services, Access Canberra, Education and Training Directorate, ACT Health, Chief Minister, Treasury and Economic Development Directorate, Justice and Community Safety Directorate, Barnardos, Belconnen Community Services, the Capital Health Network, Connections ACT, Red Cross, UnitingCare Kippax, Woden Community Service and the YWCA.

- (6) The Community Services Directorate Digital and Data Governance Board was established in May 2018 to oversee and improve matters relating to digital and data improvements across the directorate. Regular meetings of the Board ensure ongoing oversight of the Common Dataset and also other dependent data collection processes.

The Digital and Data Governance Board includes senior and executive staff from the Community Services Directorate. Members were selected based on their expertise and authority of digital and data collection processes.

Initial implementation discussions and small pilot tests for the Common Dataset were started in December 2017, guided by the Common Dataset Working Group

- (7) Data Quality Assurance is an ongoing activity within the Community Services Directorate. Operational data quality processes are undertaken across the Directorate on a weekly basis.

Internal auditors also review the directorate's data collection and maintenance processes. The auditor's periodic reviews are considered a critical and necessary accountability measure within the directorate.

- (8) The weekly report on data quality provides operational areas with the opportunity to amend data entry errors.

The Common Dataset will support data quality assurance across the Directorate by providing guidance on what format data should be collected, creating consistent data that can more easily be compared.

- (9) The Common Dataset is available publically on the Community Services Directorate website. <http://www.communityservices.act.gov.au/home/publications/common-dataset>

## Government—respect, equity and diversity training (Question No 1878)

**Mrs Kikkert** asked the Chief Minister, upon notice, on 21 September 2018  
(redirected to the Acting Chief Minister):

- (1) When has staff training on the Respect, Equity and Diversity (RED) Framework been undertaken each year for the past three years and for which staff on each occasion.
- (2) How often are staff expected to undertake RED training.
- (3) Are there any staff who do not undertake RED training; if so, why not.
- (4) How long is each training session and what is the nature of the training.
- (5) Is feedback collected on RED training sessions; if so, what aspects of the training have been successful and what improvements have been suggested; if not, why not.

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

The following response relates to all staff in the Chief Minister, Treasury and Economic Development Directorate (CMTEDD), including Shared Services.

- (1) CMTEDD regularly conducts Respect Equity and Diversity (RED) training for managers and staff. Twice a year, CMTEDD dedicates one week for the promotion of the RED Framework and offers multiple training sessions during these weeks. A summary, by financial year, of training sessions and staff participation is:

Financial Year	RED General Training	Number of Participants	RED Manager Training	Number of Participants
<b>2015-16</b>	16 July 2015 4 August 2015 2 May 2016 6 May 2016 25 May 2016 30 May 2016	149 staff – 6 sessions	7 July 2015 27 May 2016 10 June 2016	44 staff – 3 sessions
<b>2016-17</b>	5 August 2016 15 August 2016 15 May 2017 17 May 2017 18 May 2017	115 staff – 5 sessions	24 August 2016 16 May 2017 18 May 2017	46 staff – 3 sessions
<b>2017-18</b>	11 September 2017 12 September 2017 13 September 2017 23 November 2017 1 March 2018 5 March 2018 6 March 2018 23 March 2018 4 April 2018 2 May 2018 3 May 2018 8 May 2018 10 May 2018 11 May 2018	202 staff – 14 sessions	9 June 2017 13 September 2017 14 September 2017 15 September 2017 17 November 2017 15 February 2018 27 March 2018 4 May 2018 14 May 2018	111 staff – 9 session

Introductory RED Contact Officer training is delivered through the Whole of Government ACT Public Service (ACTPS) Training Calendar. RED Contact Officer training delivered to CMTEDD employees for the last three financial years is:

	2015-16	2016-17	2017-18
<b>RED Contact Officer</b>	12 staff	5 staff	6 staff

- (2) RED training forms part of the ACTPS Core Learning Policy and is now mandatory training for all employees. The policy is being implemented across ACTPS Directorates and is being supported by the development of e-learning modules.

As outlined in the Core Learning Policy, refresher training will be undertaken when employees return to the workplace after an extended period of leave (12 months or more). Employees may also be directed by their managers or supervisors to undertake or refresh the training, at any time.

Staff who nominate to become RED Contact Officers are required to complete initial mandatory RED Contact Officer training. Annual refresher training sessions are also provided.

New employees receive an introduction to the RED Framework through both the Whole of Government and CMTEDD Induction programs.

- (3) All staff are required to undertake RED Training.
- (4) Sessions are delivered face to face for four hours. The training adheres to the ACTPS Core Learning Policy and includes promoting a positive workplace culture; practical interpretation of respect, equity and diversity; responsibilities under the RED Framework; and how to identify and respond to unacceptable behaviour. Participants are engaged in discussions and scenarios and are also provided with a RED Framework resource manual.

The ACTPS Training Calendar courses are delivered by two training providers, as part of the Whole of Government Training Panel. The courses are either three and half or four hours in a face to face setting.

- (5) Feedback from individual participants has been collected at all training sessions and indicates the programs are successful. The feedback has been used to improve course content.

The courses conducted through the ACTPS Training Calendar have received a satisfaction rating of 93 per cent.

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### **ACT Health—cultural diversity (Question No 1879)**

**Mrs Kikkert** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) When will the new Diversity Framework for 2019 be published.

- (2) Is the implementation report against *Towards Culturally Appropriate and Inclusive Services, a Co-ordinating Framework (2014-2018)* now completed; if so, can the Minister include the report as an attachment; if not, when will the report be completed.

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

- (1) ACT Health Directorate is in the early stages of developing a new Diversity Framework. This work will progress during 2019.
- (2) ACT Health Directorate is currently drafting an implementation report, which will reflect activity across both the Directorate and Canberra Health Services. The report will be provided to Government in late 2018.

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**ACT Health—cultural diversity  
(Question No 1880)**

**Mrs Kikkert** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) Who will be responsible for providing to the Executive Council a six monthly qualitative report on progress towards implementation of the Multicultural Health Policy Unit under *Towards Culturally Appropriate and Inclusive Services: a Co-ordinating Framework*.
- (2) What is the current status of the development of reporting mechanisms on the progress of culturally and linguistically diverse related initiatives identified in the Framework documents; if it's completed, what are the reporting mechanisms; if not, what is the expected completion date.

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

- (1) This work will be coordinated by Health Systems, Policy and Research Division with input from other Divisions within the ACT Health Directorate and Canberra Health Services.
- (2) ACT Health Directorate is seeking information from across the Directorate and Canberra Health Services on implementation and outcomes of culturally and linguistically diverse related initiatives identified in the Framework. A report will be provided to Government in late 2018.

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**ACT Health—cultural diversity  
(Question No 1881)**

**Mrs Kikkert** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) What data collection and reporting systems have been implemented between the years 2014 to present for identifying health issues that may be prevalent in particular

culturally and linguistically diverse (CALD) communities; if an updated system has not been implemented yet, who is responsible for exploring and implementation of such systems.

- (2) Who now monitors national and international research, disseminating evidence for effective multicultural health care.
- (3) What is the current status of developing cultural profiles of ACT CALD communities for the use of staff; if the development is still ongoing, who is now responsible for completing and maintaining these profiles and what information is provided in each cultural profile.

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

- (1) At the national level, only a small amount of data is available on the health determinants (eg behaviours such as smoking and social determinants of health such as education), access to health services (eg primary health care), and health outcomes (eg life expectancy) of people from CALD backgrounds. Identifying health issues that may be prevalent in particular CALD communities is limited by:
  - a. The national data specification and collections that separately identify the impact on different CALD communities;
  - b. The data collections in the ACT which, like national data collections, do not collect CALD information in many cases; and
  - c. The number of ACT residents from CALD backgrounds with certain health conditions; sample size needs to be considered in the publication of data to ensure confidentiality is not compromised.

While some data is available on people who are born overseas or who speak a language other than English at home, this is often not broken down by different countries/regions or languages, which makes it difficult to analyse for policy and planning purposes. Information on how health behaviours, service use or outcomes differ by length of residence in Australia, country of birth of parents, religious affiliation, or immigration status (especially for asylum seekers and people of refugee background), is therefore limited.

- (2) Monitoring research and disseminating the findings on multicultural health care is not specifically tasked to any one area of ACT Health Directorate or Canberra Health Services. However, national and international research will be considered in the context of developing a new Diversity Framework, which will be managed by the Health Policy Unit in Health Systems, Policy and Research.
- (3) Community Cultural Profiles, including migration history, communication issues, cultural health beliefs and practices are available to ACT Health staff on the intranet. There are currently 13 profiles available.

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### **Sport—indoor sports feasibility study (Question No 1882)**

**Mr Milligan** asked the Minister for Sport and Recreation, upon notice, on 21 September 2018:



Did the Minister report in the Assembly on 22 February 2018 that the Feasibility Study for Indoor Sports in Gungahlin, Woden and Belconnen would be released very soon; if so, when can the residents of these areas and the various sporting stakeholders expect to see this report.

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

The Future Indoor Sports Facility Provision Feasibility Study is currently being finalised. It is expected that this report will be released by the end of 2018.

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**Aboriginals and Torres Strait Islanders—Ngunnawal Bush Healing Farm  
(Question No 1883)**

**Mr Milligan** asked the Minister for Health and Wellbeing, upon notice, on 21 September 2018:

- (1) In relation to a question without notice on 22 March 2018, did the Minister state that a second intake of clients at the Ngunnawal Bush Healing Farm would be occurring in April; if so can the Minister provide detail on the number of clients and type of programs that have been delivered to date at this facility.
- (2) How does the Ngunnawal Bush Healing Farm reflect the principles of self-determination.
- (3) What is the review process for determining the effectiveness of the Ngunnawal Bush Healing Farm from an economic, social and cultural perspective.
- (4) Has the model of care for the Ngunnawal Bush Healing Farm been finalized and will the Minister make it publically available.
- (5) Can the Minister provide detail on what other community groups have been accessing the Ngunnawal Bush Healing Farm to conduct workshops, retreats or camps.
- (6) Has there been any fees or charges for community groups to use the Ngunnawal Bush Healing Farm and what is the eligibility criteria and booking process to secure access to the facility.

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

- (1) In relation to my answer regarding a second intake of clients at the Ngunnawal Bush Healing Farm (NBHF), I did not indicate a specific date for this second intake. I can, however, confirm that a second program intake commenced on 4 June 2018 with a full complement of 12 clients.
  - The type of programs delivered included:
    - Nutritional and food preparation;
    - Horticulture and bush tucker;
    - Blacksmithing and toolmaking;
    - Physical fitness and wellbeing;
    - Music therapy;
    - Cultural walks and talks;
    - Horse therapy;

- Relapse prevention;
- Leadership and self-empowerment training;
- Outdoor education; and
- Cartoon therapy.

- (2) It is the intention of the ACT Government that the NBHF will be governed and managed by the ACT Aboriginal and Torres Strait Islander Community. ACT Health will continue to manage the NBHF as it works towards transitioning the service to a community controlled organisation.
- (3) ACT Health has recently contracted with Burbangana Consulting to conduct a review of the NBHF.

The Review will be informed by the principles of cultural competency and will focus on key areas including governance, service delivery, planning and operations, and policy. The review will focus on the following six aspects of the NBHF program:

- review of governance arrangements for NBHF and recommendations regarding appropriate governance arrangements into the future.
  - the range of programs currently delivered and potential future additions or improvements best suited to governance model.
  - research and consultation in relation to delivery of appropriate and effective programs including processes for client identification and selection, effectiveness of completed programs, and the sustainability of program outcomes following completion.
  - effectiveness and relevance of governing policies for the NBHF.
  - staffing levels, training, and supervision procedures.
  - current infrastructure and best use of the facility to align with program aims, the NBHF governance model, and the needs of the Community.
- (4) ACT Health has been progressing towards the full implementation of the detailed service model first developed in 2012. A copy of this model is attached.

As noted in my statement to the assembly on 12 September 2017, ACT Health has been implementing this service model in a phased approach since the opening of the facility.

- (5) Many Aboriginal and Torres Strait Islander and other community groups have been invited to attend the NBHF since the official opening on 4 September 2017.

Guests to the NBHF have included;

- ACT Aboriginal and Torres Strait Islander Nannies group
- A Social and Emotional Wellbeing Women's group from Wellington NSW
- Bulungs Bootcamp
- Cultural art groups through Arts ACT
- The Healing Foundation
- Aboriginal Legal Service
- Marathon Health
- The Growing Healthy Families Program
- Members of the steering committee, Our Booris our way
- ACT Human Rights

- Domestic Violence Crisis Service
  - ACTCOSS
  - JACS Staff from ACT Corrections and Probation and Parole
  - Galambany Magistrate, Dr Bernadette Boss
- (6) No fees are charged to community groups. All requests for visits to the NBHF are booked at the discretion of the Service Manager, subject to the operational needs of the NBHF.

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

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### **Sport—ground maintenance (Question No 1884)**

**Mr Milligan** asked the Minister for Sport and Recreation, upon notice, on 21 September 2018:

- (1) Can the Minister provide the exact number of sportsgrounds managed by the ACT Government for (a) irrigated sportsgrounds (b) non-irrigated sportsground, (c) hectares of irrigated sportsgrounds and (d) hectares of non-irrigated sportsgrounds.
- (2) Can the Minister provide a list of each of the sportsgrounds referenced in part (1) and outline any routine maintenance schedules or planned upgrades for these facilities over the next 12 months.
- (3) Can the Minister provide further details on the schedule of maintenance followed on the sportsgrounds referenced in part (1) for the two periods of programmed maintenance on natural turf sportsgrounds that occurs between 18-31 March and 17-30 September each year.
- (4) Can the Minister provide detail on the number of requests received for sportsground use during the maintenance periods, which clubs or groups made the request and what the response was to each from Active Canberra.
- (5) What are the criteria and policy guidelines to grant exemptions to sporting clubs to access sportsgrounds during the maintenance periods.

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

- (1) (a) and (c) 884 irrigated individual playing fields for hire over 126 sites covering 280 hectares  
(b) and (d) 29 non-irrigated neighbourhood ovals covering 160 hectares
- (2) Please see attached a list of each individual sportsground referenced in part (1). Routine maintenance includes: mowing as required to maintain specified grass height; watering as required to maintain grass condition; aerating to elevate compaction; fertilising; preventative insecticide program; sportsground floodlighting maintenance program; sports field surveying and line marking.

Upgrades planned in 2018-19 include irrigation at Hawker District Playing Fields, pavilion upgrades at Waramanga and Yarralumla and lighting upgrades at Phillip and Nicholls.

- (3) Renovations are undertaken over a 2 week period twice a year. Specific renovation actions are dictated by local conditions but generally include:
- removal/erection of goalposts using large equipment
  - mechanical aerating to reduce compaction and to promote the transfer of water and nutrients up and down the soil profile;
  - mechanical dethatching to remove dead grass build up from the soil surface;
  - fertilising using mechanised equipment and requiring watering-in;
  - top dressing fill in divots and uneven surfaces from seasonal wear with turf-specific soil, especially around goal mouths;
  - reseeding and/or turfing - Couch based ovals are over sown with rye seed prior to the winter season. Over sowing takes time to germinate and establish. Some bare areas require turfing which also requires time to establish before use;
  - allowing sport on newly germinated grass damages the young plants and defeat the purpose of over sowing; and
  - watering is required at regular intervals during the day and night to germinate grass seed and commence establishment.
- (4) Sportsground bookings are managed by the Transport Canberra and City Services Directorate.

During the pre-winter shut down from 18- 31 March 2018, the following requests were granted access to ovals during the shutdown period:

<b>Name</b>	<b>Activity</b>
FE=HR Holden Owners Club ACT Inc	Sundry
Gungahlin College	Rugby League
Little Athletics ACT	Athletics
Last Man Stands	Cricket
Masters AFL ACT	AFL
Capital Football - FFA Cup Match	Football

The following requests were unable to be granted for operational reasons:

<b>Name</b>	<b>Activity</b>
Sunday Social	Cricket
Canberra Ndunas Association	Football

During the pre-summer shut down from 17- 30 September 2018 period the following requests were granted access to ovals during the shutdown period:

<b>Name</b>	<b>Activity</b>
ACT AFL Masters	AFL
Newgate communications	Sundry
Various cricket clubs	Cricket training
Molonglo Juggernauts	AFL training

- (5) Every effort is made to inform users of planned shutdown periods well in advance and to assist in making alternative arrangements. Approval for use of sporting fields during the renovation period are negotiated on a case-by-case basis noting the nature of the request and the operational requirements to ensure ovals are properly maintained.

Approval is routinely provided for gridiron due to the timing of this sport's season that extends through the pre-summer shutdown period. Arrangements are also made for special tournaments of significance, finals or games that have postponed due to wet weather.

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

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**Aboriginals and Torres Strait Islanders—Boomanulla Oval  
(Question No 1886)**

**Mr Milligan** asked the Minister for Sport and Recreation, upon notice, on 21 September 2018:

- (1) What benefit to the Boomanulla Oval is community consultation and tender processes if a decision takes 18 months counter to the community want.
- (2) What assurances can the Minister give the local community that Boomanulla Oval will not be mismanaged.
- (3) Given the \$958 000 spent to restore the Bommanulla Oval, why is the facility not available for sport or community use.
- (4) What plans are there for Boomanulla Oval in the long term in terms of the Indigenous community in the ACT, local residents and sport recreation users across Canberra.

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

1. The tender process that commenced in 2016 to return Boomanulla Oval to Indigenous management was entered into in good faith with the community. Given the complexity of the process, and the importance of the outcome, a considerable effort went into analysing the proposal and looking at ways to make the proposal work. Unfortunately this took time.

The outcomes of the community consultation that accompanied the process will not be lost. This piece of work remains available to inform the future direction for the oval and its return to sustainable indigenous management.

2. The ACT Government is committed to working with the Aboriginal and Torres Strait Islander community on the long term future of Boomanulla Oval.
  3. Following the completion of the interim restoration works in mid-October, Boomanulla Oval will re-open for recreation and community activities. The ACT Government is currently looking at options for the future upgrade of the oval to enable formal sporting use, in consultation with the Elected Body.
  4. Refer to response to Q3.
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## Questions without notice taken on notice

### Land—rural property acquisition

**Mr Barr** (*in reply to a supplementary question by Mr Coe on Tuesday, 31 July 2018*):

In relation to the purchases of the Huntly, Winslade and Milapuru properties, I received the following briefing material:

1. For Huntly (Blocks 412, 413, 426, 487, 489 District of Stromlo): I received a brief from the former Land Development Agency (LDA) which had two attachments – a business case, and internal Treasury advice to the Under Treasurer indicating Treasury support for the purchase. My office received this briefing material on 11 January 2016.
2. For Winslade (Blocks 435, 439, 440, 441, 456, 476, District of Stromlo): I received a brief from Treasury which had two attachments – a business case, and an LDA Strategy for Stromlo District Land Acquisitions. My office received this briefing material on 12 April 2017.
3. For Milapuru (Block 19 District of Stromlo): I received a brief from the former LDA, accompanied by correspondence from the Under Treasurer to the Chief Executive Officer of the former LDA which indicated Treasury support for the purchase. My office received this briefing material on 18 June 2015.

It is routine business for a Minister and ministerial staff to have discussions with directorate and agency representatives. During 2015, 2016 and up to 30 June 2017, I held regular meetings with both the Under Treasurer and the former Chief Executive Officer of the former LDA, for example through weekly briefings on current issues.

### Canberra Hospital—off-site scan analysis

**Ms Fitzharris** (*in reply to a supplementary question by Mrs Kikkert on Wednesday, 19 September 2018*):

None. The external analysts are fully qualified radiologists.