



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

NINTH ASSEMBLY

14 FEBRUARY 2019

www.hansard.act.gov.au

Thursday, 14 February 2019

Mr Shane Madden (Motion of condolence).....	205
Matter of public importance (Ruling by Speaker)	208
Reconciliation Day (Ministerial statement)	208
Ministerial delegation to New Zealand (Ministerial statement)	211
Future of education implementation plan (Ministerial statement).....	216
Housing ACT—total facilities manager (Ministerial statement).....	221
Revenue Legislation Amendment Bill 2019	223
Fuel Pricing—Select Committee	225
Administration and Procedure—Standing Committee	233
Fuel Pricing—Select Committee	241
Questions without notice:	
Schools—bullying	242
Public housing—Stuart flats	242
Schools—bullying	243
Schools—bullying	244
National Multicultural Festival—preparation	244
Education—Margaret Hendry School	247
Education—occupational violence	248
Mental health—performance	249
ACT Fire & Rescue—equipment	250
Environment—healthy waterways project	251
Light rail—contractors	253
Arts—Kingston arts precinct	254
Aboriginals and Torres Strait Islanders—procurement policy	256
Arts—event funding	258
Government—ex gratia payment.....	259
Government—screen arts funding.....	260
Supplementary answers to questions without notice:	
Government—ex gratia payment.....	262
Public housing—thermal performance	262
ACT Fire & Rescue—equipment	262
Personal explanations.....	263
Papers.....	264
ACT greenhouse gas inventory 2017-18	265
Aboriginal and Torres Strait Islander Elected Body 2018.....	267
Lower Cotter catchment restoration evaluation	270
Harm minimisation and reduction (Matter of public importance).....	270
Visitors.....	272
Harm minimisation and reduction (Matter of public importance).....	272
Administration and Procedure—Standing Committee	282
Personal explanation	286
Future of education implementation plan (Ministerial statement).....	286
Planning and Urban Renewal—Standing Committee.....	289
Consumer Protection Legislation Amendment Bill 2018.....	289
Births, Deaths and Marriages Registration Amendment Bill 2018	294
Adjournment:	
Yerrabi electorate	296

Cyberbullying	298
Bosom Buddies ACT	299
Neurofibromatosis	300
Waste—green bins	301
Answers to questions:	
Mental health—compensation claims (Question No 1891)	303
Mental health—emergency department data (Question No 1912)	305
Health—consultants (Question No 1913)	305
Hospitals—maintenance (Question No 2015)	306
Canberra Hospital—plumbing issues (Question No 2017)	307
Roads—contracts (Question No 2025)	308
ACT Health—cultural diversity (Question No 2035)	311
Health—medical research (Question No 2048)	313
Canberra Hospital—emergency waiting times (Question No 2049)	315
Mental health—awards (Question No 2050)	315
Schools—instrumental music program (Question No 2051)	316
Schools—funding (Question No 2052)	317
Schools—students with complex needs (Question No 2053)	319
Schools—preschool enrolments (Question No 2054)	320
Schools—suspension guidelines (Question No 2055)	321
Schools—International Baccalaureate (Question No 2056)	323
Disability services—grants (Question No 2057)	324
Schools—asbestos (Question No 2058)	325
Housing—land tax (Question No 2059)	326
Children and young people—care and protection (Question No 2060)	327
ACT public service—activity-based workplaces (Question No 2061)	328
Alexander Maconochie Centre—dietary options (Question No 2062)	329
Hospitals—dietary options (Question No 2063)	330
Justice—witness intermediaries (Question No 2064)	330
Tourism—dietary options at events (Question No 2065)	330
Bimberi Youth Justice Centre—dietary options (Question No 2066)	331
Canberra Institute of Technology—cooking courses (Question No 2067)	331
Schools—dietary information (Question No 2068)	332
Municipal services—recycling (Question No 2069)	334
ACT Ambulance Service—crews (Question No 2070)	336
Roads—Mount Taylor parking (Question No 2071)	337
Public housing—renewal program (Question No 2072)	338
Housing—new housing strategy (Question No 2073)	338
Health—contraception (Question No 2074)	339
Municipal services—tree management (Question No 2075)	339
Government—carers strategy (Question No 2076)	341
Schools—instrumental music program (Question No 2077)	342
Schools—language teaching (Question No 2078)	343
Planning—Yarralumla brickworks (Question No 2079)	345
Transport—bus station maintenance (Question No 2080)	346
Transport—MyWay agents (Question No 2081)	347
Light rail—driver remuneration (Question No 2082)	347
Questions without notice taken on notice:	
ACTION bus service—school services	348

ACTION bus service—network	349
Health portfolio—workplace culture	349
Health portfolio—staff safety	350
Canberra Hospital—radiology department	350
Health portfolio—staff safety	350
ACT Supreme Court—coat of arms	351
Alexander Maconochie Centre—duress alarms	352
Calvary Hospital—plumbing	352
Schools—injuries	352
Education—enrolment policy	352
Mental health—duress alarms	354
Sport—night-time events	354

Thursday, 14 February 2019

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

Mr Shane Madden
Motion of condolence

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) (10.01): I move:

That this Assembly expresses its deep regret at the death of Mr Shane Madden, who served in a number of important roles within the ACT legal system, including 13 years as a Magistrate in the ACT Magistrates Court, and tenders its profound sympathy to his family, friends and colleagues in their bereavement.

This Assembly expresses its deep regret at the death of Mr Shane Godfrey Madden. Before his passing on 23 November 2018 at the age of 73, Mr Madden had a distinguished legal career. He served in a number of important roles within our legal system, including, as I have mentioned, the Magistrates Court for 13 years.

He served as a magistrate from 1996 until his retirement in July 2009. During this time, Mr Madden was the first magistrate for the ACT Children's Court and he regularly presided over the Ngambra Circle Sentencing Court. He was known in the legal profession as a decent and fair-minded magistrate who showed compassion and respect for Aboriginal and Torres Strait Islander offenders and their elders.

Prior to moving to the bench, Mr Madden worked in the senior leadership team of the ACT Director of Public Prosecutions, including through its formation in 1991. He also served as acting president of the former ACT tenancy tribunal and as a member of the former ACT credit tribunal.

Madam Speaker, in 1997 Mr Madden worked tirelessly as the coroner on the inquest into the death of Katie Bender, resulting from the demolition of the Royal Canberra Hospital on Acton Peninsula. As part of that inquest, he presided over 118 days of sitting and produced a 657-page report that identified the systemic failures. The report led to important changes to government work safety policies and procedures.

In addition to his contributions to the legal profession, which are considerable, Mr Madden was also an active member of the local community. He was a life member of the ACT Brumbies, and refereed more than 300 rugby games for ACT Rugby between 1987 and 2006—refereed no doubt as fairly and impartially as he served on the bench. And refereeing any rugby match, Madam Speaker, given the complexity of the rules in that sport, is no mean feat. He served as chairman of the Brumbies disciplinary committee from 1999 to 2009. He had a deep passion for the sport of rugby, to which he contributed so much.

This morning we extend our deepest sympathy to Mr Madden's wife, Katie, to his sons, David, Peter and Phillip, and to their extended families.

MR COE (Yerrabi—Leader of the Opposition) (10.04): I too rise to express condolences on behalf the opposition at the passing of former magistrate Mr Shane Madden—a passionate advocate for the sporting community, for youth, for Indigenous communities and for the city at large. He served this city with distinction and we are all very grateful.

Mr Madden distinguished himself in the legal community, prior to his appointment to the Magistrates Court, when he worked for the Commonwealth Director of Public Prosecutions. He was later part of the senior leadership team of the ACT Director of Public Prosecutions when it was formed in 1991 under Ken Crispin QC.

In December of 1996 he crossed to the other side of the courtroom and served as a magistrate until he retired in July 2009 after nearly 13 years of dedicated service as part of the judiciary. During his time on the bench, Mr Madden continued to be a very prominent and notable figure, leading the coronial inquest into the Royal Canberra Hospital implosion in 1997; acting as the first Children's Court magistrate from December 1999 through to February 2002; and as the inaugural Ngambra circle sentencing magistrate. At his retirement in 2009, then Attorney-General Simon Corbell said of him:

Magistrate Madden proved himself to be a just, wise and well-respected judicial officer who is esteemed by both other legal professionals and those who appeared before him in the courts. He will be admired for his many years of ongoing service to the ACT court system.

Mr Madden was also a passionate rugby fan, with the ACT Brumbies bestowing on him life membership in 2008. He was a level 1 certified referee and coach with the Rugby Union, officiating at more than 300 games in ACT senior competitions, in addition to schoolboys', juniors' and women's tournaments. I understand that he is the second most capped referee in ACT rugby history.

He also lent his judicial services to the ACT Rugby Union judiciary from 1987 through to 2009, serving as a member, and later chairman, while also chairing the Brumbies disciplinary committee from December of 1999 through to 2009.

In 1982 Mr Madden was awarded life membership of Canberra City District Cricket Club, a forerunner to North Canberra Gungahlin Cricket Club. This life membership was in recognition of his long service to the club, including as president, and he was also chairman of Cricket ACT. Mr Madden organised an anniversary match for the city club in 1980, at which many notable Canberra cricketers played, including Denis Axelby, who is well known to us here in the Assembly.

In 1985 Mr Madden took Cricket ACT to new levels when he was successful in lobbying for the ACT to be incorporated in the Prudential national country cricket championships in Adelaide. This was a major step forward for Cricket ACT. As with

rugby, his service to cricket was extensive as an administrator, a representative team manager, a player and more.

There have been many tributes from those who knew Mr Madden personally, those who knew him professionally, and those who knew him, of course, through sporting interests. All described him as a great mentor. They described his passion as a supporter, and also his empathy and his astuteness as a judge.

Mr Madden was a compassionate man of service through and through. He contributed greatly to the legal fraternity, the sporting community in Canberra and more. I wish to pass on the opposition's condolences to his wife of 47 years, Katie; his children, David, Peter and Phillip; his daughters-in-law, Andrea, Nicole and Amy; grandchildren, Kahlea, Isabelle, Jacinta, Raphael, Jessica, Elianna, Stephanie, Alexander, William and Georgina. By all accounts he was an honourable public servant, a strong community advocate and a cherished family man. He was a great citizen.

MR RATTENBURY (Kurrajong) (10.09): I join with my colleagues, on behalf of the ACT Greens, to express my condolences at the death of former magistrate Shane Madden. Mr Madden died of a heart attack in November last year, aged 73. As has been noted, he served as a magistrate from December 1996 until retirement in July 2009. He was the ACT's first Children's Court magistrate in 1999, and also the inaugural circle sentencing magistrate.

As a magistrate, he has been described by the Law Society as:

... a thoroughly decent, fair minded Magistrate who showed compassion and respect for Aboriginal offenders and their elders, and who was patient with and welcoming of younger practitioners.

I am sure many nervous young practitioners were very grateful for that generosity in their time.

One of Magistrate Madden's most important tasks as a magistrate was being the coroner on duty when the implosion of the Royal Canberra Hospital killed schoolgirl Katie Bender on 13 July 1997. Mr Madden had only been months into his job as a magistrate. The inquest into the 12-year-old's death lasted 118 days, and it is reported to have had a lasting impact on Mr Madden.

Prior to his appointment as a magistrate in December 1996, Mr Madden worked at the Director of Public Prosecutions office, when it was still a part of the commonwealth DPP. Mr Madden was a part of the senior leadership team when the ACT DPP was formed under the first director, Ken Crispin QC, in 1991. He has been described by the ACT Bar Association president Steve Whybrow as "a fine trial advocate whose dark emerald robes and pinstripe pants were a defining sartorial feature".

Outside the law, as has been noted, Mr Madden's passion was rugby union. Well known in Canberra's rugby union community, Mr Madden was made a life member of the ACT Brumbies in 2008. He officiated as an ACT Rugby referee in more than

300 games, from the years 1987 to 2006, in the lower grades of the ACT senior competitions as well as at schoolboys', women's and juniors' tournaments.

He was a level 1 certified referee coach with the Australian Rugby Union and was a member, and later chairman, of the ACT Rugby Union judiciary from 1987 until 2009. He was also chairman of the Brumbies disciplinary committee from 1999 to 2009. By any measure, this list is an outstanding contribution to Rugby in the ACT and reflects an extraordinary voluntary contribution, the sort of contribution that makes these sports tick.

The Canberra community has been extremely lucky to have benefited from Mr Madden's years of service. On behalf of the ACT Greens, I convey my thoughts and sympathies to his widow, Katie, to his children and to his grandchildren.

Question resolved in the affirmative, members standing in their places.

Matter of public importance

Ruling by Speaker

MADAM SPEAKER: Before we move to ministerial statements and I call Ms Stephen-Smith, I have a statement to make. Members, this morning I considered 12 matters of public importance that had been lodged with me for today's MPI. One of the MPIs was from Ms Lee. It was about the importance of safety in and around ACT schools.

Members will be aware that yesterday we debated a motion moved by Ms Lee, which was listed on the daily program as "Safety in school zones". *House of Representatives Practice*, seventh edition, which we are linked to through standing order 275, states at page 595:

Under the same motion rule the Speaker has the discretion to disallow any motion or amendment which he or she considers is the same in substance as any question already resolved in the same session. The same principle may be applied to a proposed matter of public importance which has substantially the same wording as a motion previously agreed to.

Accordingly, I rule that the MPI submitted by Ms Lee is out of order and is not included in the ballot for today's program. I recognise that circumstances may change over a period of time, but the motion was just yesterday and the MPI is today. Hence, I have ruled it out of order.

Reconciliation Day

Ministerial statement

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) (10.14): Last year the ACT made history by holding Australia's first Reconciliation Day public holiday, on

28 May 2018. The success of the events in the lead-up to and on the day was due in large part to the important work done by the ACT Reconciliation Day Council. As part of the council's evaluation for Reconciliation Day 2018, it recommended that I make a statement to this place about the success of the inaugural event.

I am thrilled to see one member of the council in the chamber today. I recognise the commitment and hard work of all council members in helping to deliver last year's event and their enthusiasm for an even bigger and better Reconciliation Day 2019. In particular, I acknowledge the council co-chairs, Dr Chris Bourke and Ms Genevieve Jacobs, who is here with us today, who did such a fantastic job of emceeing the Reconciliation in the Park event.

As members know, when the government tabled the Holidays (Reconciliation Day) Amendment Bill in August 2017 I stated that we need to write a better Australian story. This story needs to reach into more than 60,000 years of this country's history and culture and to be honest about the impact of colonisation and past policies and practices.

Yesterday was the anniversary of the national apology to the stolen generations. In response to the apology, Dr Tom Calma, a member of the ACT Reconciliation Day Council, said:

Through one direct act, Parliament has acknowledged the existence and the impacts of past policies and practices of forcibly removing Indigenous children from their families. And by doing so, has paid respect to the Stolen Generations. For their suffering and their loss. For their resilience. And ultimately, for their dignity.

The apology was a significant event in acknowledging the wrongs of the past and an important marker in our reconciliation journey. The establishment of the ACT's Reconciliation Day public holiday is a small part of that better national story, something all Canberrans can be proud of.

Reconciliation in the Park enabled our community to have a conversation about reconciliation, for people to continue their journey of understanding our shared history. Again I pay tribute to Dr Bourke's foresight as the person who started the process of establishing Reconciliation Day, in understanding that the creation of a public holiday would give us both a reason and an opportunity to have a wider conversation about the true history of our region and nation.

The Reconciliation Day Council was established to ensure that the Reconciliation Day holiday was an inclusive and meaningful occasion and an opportunity to showcase Aboriginal and Torres Strait Islander culture to the broader community. On 28 May 2018 the council delivered just that. The Reconciliation Day Council provided the strategic overview and management of the event and acted as community ambassadors, leading the conversation about the importance of a reconciled Australia.

Council members were identified as prominent members of our community and selected for their leadership, far-reaching networks and ability to bring people

together. Today I formally congratulate and offer my thanks to the members of the council for their efforts in successfully delivering the very first event on such an important day, the nation's only Reconciliation Day public holiday.

I am told that over 8,000 Canberrans from a diverse range of ages and backgrounds attended Reconciliation in the Park. The event offered a range of activities and opportunities throughout the day to learn about and experience Aboriginal and Torres Strait Islander cultures.

The richness of Aboriginal and Torres Strait Islander cultures was on display at the event, including bush tucker stalls demonstrating how the land was used in a sustainable way, basket weaving, and interactive dance as a way of experiencing culture. Attendees also had the opportunity to talk directly with members of the United Ngunnawal Elders Council to learn about the true history of our region. I am told that country and the importance of connection with country was a regular topic of conversation.

From all accounts from those who attended, including the Aboriginal and Torres Strait Islander community, it was an event where the whole community could come together to share and learn from each other. This was our aim—to ensure that the day was not just seen as a public holiday without meaning.

Reconciliation Day was also supported by the introduction of the Reconciliation Day grants program, which made \$50,000 available to the community to conduct, coordinate or participate in reconciliation events in the lead-up to and on Reconciliation Day. I am pleased to say the ACT government awarded grants in excess of this amount to 19 local community organisations to progress reconciliation initiatives. The grants were able to support events like the Tuggeranong Netball Association's reconciliation round and the Woodlands and Wetlands Trust bush tucker and boomerangs program.

Earlier this month applications opened for the 2019 Reconciliation Day grants program. This is a great way for community organisations, individuals and educational institutions to get involved in Reconciliation Day. It is important for Reconciliation Day to reach all parts of Canberra, and I encourage members to let their communities know of the opportunities available.

Now that the solid foundation exists to support future reconciliation events, the ACT government is formalising the governance arrangements of the council, to build on the momentum and goodwill demonstrated in 2018. I am happy to announce that the ACT government will retain the current co-chairs, members and ambassadors for the 2019 event. This arrangement will allow the council to continue its work in achieving the vision it has set for creating a family friendly, safe, non-judgemental space for the broader community to continue a conversation about our shared history.

Governance arrangements include retaining current members of the council who wish to continue for the 2019 event and appointing half of those members until 31 August 2019 and half until 31 August 2020, ensuring that we keep knowledge and experience; filling any vacancies for 2019 in consultation with the council, the office

for Aboriginal and Torres Strait Islander Affairs and the Aboriginal and Torres Strait Islander Elected Body; formalising the membership, criteria, terms and process for appointments to vacant member positions in the future; confirming that members are appointed to the council as individuals, in their capacity as leaders in the community, and that the council will remain voluntary and not remunerated; and setting the current co-chairs' term to 31 August 2020.

The new arrangements will commence this year's event, to ensure that all Canberrans have ample opportunity to participate in this significant initiative. The Reconciliation Day Council will also become the ACT Reconciliation Council, recognising the year-round role these leaders in our community now have in championing reconciliation.

The council is in the early planning stage for the 2019 event and is considering improvements in areas of promotion, sponsorship and capturing community feedback; opportunities to coordinate events across the ACT, including with relevant national institutions such as the Australian Institute of Aboriginal and Torres Strait Islander Studies; and increasing opportunities to experience culture through traditional foods and yarnning circles.

Reconciliation Day 2019 is not that far away; I am looking forward to May and the work to get there. It is vital that Reconciliation Day reach more Canberrans each year so that we are not just talking to those who are already committed to writing a better story for our nation. Reconciliation is everyone's business. I again thank the reconciliation council for all they have done so far.

I present the following paper:

Reconciliation Day: Bringing the Community Together—Ministerial statement,
14 February 2019.

I move:

That the Assembly take note of the paper:

Question resolved in the affirmative.

Ministerial delegation to New Zealand Ministerial statement

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) (10.23): I am pleased to report to the Assembly this morning on a delegation I led to our sister city of Wellington, New Zealand, in November last year. This mission further developed Canberra's key capability markets and promoted our city as a trade and investment destination. It also continued to deliver and strengthen the outcomes through the Canberra-Wellington sister city agreement, whilst also celebrating the successes and outcomes achieved to date.

New Zealand is one of the top five priority countries in the ACT government's international engagement strategy and it is also a priority market in the ACT government's broader economic development strategies. We have cultivated and strengthened our relationship with the New Zealand capital across many fronts.

The November delegation was my fourth mission to Wellington as Chief Minister and my fifth in five years with my trade minister responsibilities. These visits, along with a number of other ministerial and business delegations led by my colleagues and the Canberra Business Chamber, demonstrate our strong commitment to the relationship.

It is now more than two years since our cities began our sister city relationship, and in cooperation with the Wellington City Council and the ACT's Office of International Engagement a progress report on the relationship was launched as part of this visit. Much has been achieved in the two short years since the two capitals formed a lasting connection as sister cities. The cities have many similarities, from our population size to our quality of life, to our focus on innovation and to the strength of the public sector in our economies.

We continue to collaborate and share knowledge, crossing both public and private sectors. The stated commitment to pursue partnerships in tourism and events and mutual exchange in smart city technologies and innovation is particularly important to Canberra, as these correspond with our key capability areas.

The report highlights the many successes of our relationship to date. From screen development and innovative start-ups to growing the partnerships between our zoos, cultural institutions and businesses, the sister city relationship is enabling new activity and opportunities for both our cities.

The two-year report on the Canberra and Wellington sister city agreement was launched jointly by Mr Justin Lester, the Mayor of Wellington, and me and highlights the many successes the strong relationship has created. Last year's mission continued our work in fostering relations, collaborating and idea-sharing between the world's two cool little capitals.

In September 2018 Canberra's National Zoo and Aquarium signed a memorandum of understanding with the Wellington Zoo. In October 2018, during the Mayor of Wellington's delegation to Canberra, the National Arboretum Canberra and the Wellington Botanic Garden also signed an MOU. Both MOUs will lead to closer cooperation between the organisations, including in the areas of operations, management, sustainability and promotional activities, with benefits not just to the organisations themselves but also to Canberra and Wellington more broadly.

I had the opportunity to visit Wellington Botanic Garden whilst in the city and to discuss the work that has been undertaken to date and the further work that will occur to deliver on the MOU. I also had the opportunity to visit the Wellington Zoo—which is, coincidentally, run by an Australian—to learn about the animal conservation work being undertaken there. Wellington Zoo is also the world's first carboNZero certified zoo, aiming to reduce the environmental impact of the organisation.

Since the signing of the MOU there have already been information exchanges on staff management and sustainability. The National Zoo and Aquarium here in Canberra has also advised that there are potential upcoming staff exchanges, one being that the Wellington Zoo giraffe keeper is coming to Canberra, the other being that the National Zoo's green team is going to Wellington to receive firsthand advice on sustainability.

Whilst in Wellington I also took the opportunity to meet with Air New Zealand to provide them with an update and an overview of the ACT government's commitment to direct flights between Canberra and New Zealand and why these can be commercially viable, and to provide insights into Canberra's key tourism and economic drivers that demonstrate this opportunity. I also had a positive meeting with Wellington International Airport to seek their partnership in the reintroduction of direct flights from Wellington to Canberra.

In the last six months of the Singapore Airlines service between our two cities there was a 20 per cent growth, with strong outbound demand from the Canberra region and inbound demand from New Zealand residents. For Canberra the total number of international overnight visitors increased by nearly 16 per cent during the period that flights operated for the year ending March 2018.

There is no doubt that in the past three years Canberra's aviation landscape has evolved significantly. We now have 14 direct international services per week that connect Canberra to the world and have ambitions to grow this even further. The ACT government strongly values this opportunity to pursue the reintroduction of trans-Tasman flights, as does Canberra Airport, and we continue to work with airlines on this opportunity. Most recently I raised this with both Qantas and Virgin in meetings I held with them in Sydney at the end of last month.

Wellington City Council has proposed an integrated transport and urban development solution for Wellington. As part of this, I am sure members will be interested to know, Wellington are proposing to develop a light rail project of their own. At the invitation of the Mayor of Wellington, I delivered a presentation to Wellington City Council on our city's light rail project and discussed our vision and experience in delivering the first stage of this city-transforming project for Canberra.

The council was keen to look to Canberra's experience of both developing a large infrastructure project in a busy urban environment as well as creating integrated transport networks that give people a genuine alternative to using their cars, whilst providing better livability through urban design and planning. Of particular interest to our Wellington colleagues was how the Canberra Metro project was developed and rolled out and how community consultation was undertaken.

Canberra has a growing knowledge economy, and space and spatial industries are an important component of this growth. Whilst in Wellington, I met with the head of the New Zealand Space Agency. The New Zealand Space Agency was established in 2016 and, similarly to the recently established Australian Space Agency, it is based

within their Ministry of Business, Innovation and Employment, which is the New Zealand government's economic growth and innovation agency. Core responsibilities of the New Zealand Space Agency are space policy, regulation and business development relating to the use of space from New Zealand.

The purpose of the meeting was to find out more about the establishment of the New Zealand Space Agency, the capability of New Zealand's industry, its future plans and opportunities for collaboration between our two space industries, in particular between New Zealand's universities and UNSW Canberra's space area and ANU InSpace.

As members are aware, around a quarter of all jobs in the Australian space industry are already in Canberra. We are home to the next generation of researchers, engineers and scientists that will support the future growth of our nation's industry. Central to Canberra's space industry development is the ecosystem of innovative and commercial participants across a broad spectrum of roles: industry, education institutions, the research community and government.

The University of New South Wales Canberra and the Australian National University are the most active higher education research institutions in space-related disciplines in Australia. Together, these two institutions provide Australia's only—I repeat "Australia's only"—end-to-end capability for the design, build and testing of Australia's next generation of satellites.

Our New Zealand colleagues indicated a strong interest in working with Canberra's space industry. I do note that the New Zealand government made the wise decision to locate their space agency in their national capital. It is curious that our current caretaker government has determined to locate the space agency away from Canberra. However, we will continue to work on developing the space sector for our economy, and we can but hope that the folly of the decision made by the current government will be overturned in the future and the Australian Space Agency will be located in the national capital.

It is our continued ambition to make Canberra the world's most livable and inclusive city, and it is with this aim in mind that I established the position of Minister for Social Inclusion and Equality—I have taken that portfolio—to drive the government's ambition for an inclusive city for all Canberrans.

The New Zealand government are well advanced in their policy development in these areas, with Prime Minister Jacinda Ardern supporting an ambitious program of social inclusion, with a particular focus on addressing poverty in her country. During the meeting with the New Zealand treasurer, the Minister of Finance, the Hon Grant Robertson, I had the opportunity to receive a briefing on the measures that are being undertaken to deliver on this agenda and potential solutions the New Zealand government is pursuing. It is very useful for the ACT to learn from the success of other jurisdictions and bring back to Canberra work that we can undertake for the betterment of our entire community.

During the visit I also had the opportunity to meet with the Wellington City arts and events team to discuss the Canberra-Wellington Indigenous artist exchange pilot program. We are working together with Wellington City Council to strengthen cultural connections, including developing programs that support opportunities for Indigenous people from both countries. The Indigenous artist exchange will support a Canberra-based Aboriginal artist, Dean Cross, to go to Wellington for six weeks during May and June this year, and for a Maori artist from the Wellington region to spend six weeks in Canberra during June and July this year.

The Wellington artist will be hosted by Gorman House, the cross-art form residency hub in our CBD, and the Canberra artist will be accommodated at the Bolton Street Sexton's Cottage. I particularly commend Minister Ramsay for his support and drive in ensuring this initiative has taken place. International residencies provide a unique opportunity for artists to immerse themselves in a new arts context, market, community and culture. The experience enables artists to articulate their practice within a global context and to build knowledge, networks and partnerships that support future international arts activities. Residencies are important periods for artistic development, a reflection of which may result in new and vibrant bodies of work.

I had the opportunity, and a somewhat rare opportunity, to launch a special beer whilst in Wellington. As part of Canberra Week in Wellington, Canberra's BentSpoke Brewery and Wellington's Fork & Brewer were able to collaborate on a bespoke sister city beer celebrating the cultural ties of our two cities. The beer was aptly named "An Ale of Two Cities". Launched in Canberra in October last year, and then made available in Wellington, a batch of the Ale of Two Cities beer has now been brewed in Wellington.

Both our cities have vibrant, established and growing craft beer scenes. This serves as another ideal partnership to celebrate and strengthen our sister city relationship. We hope that this collaboration will evolve into a city-wide opportunity for established and emerging craft brewers in the Canberra region to engage, develop and exchange brews with their Wellington counterparts.

The short mission was highly successful and fulfilled its objectives to promote opportunities and highlight the successes of the sister city agreement. The ACT government will continue to work on the new relationships formed and the collaboration opportunities established during this mission and the previous missions.

Finally, I would like to acknowledge the considerable support provided to the ACT delegation by the Australian High Commissioner in New Zealand, the Hon Ewen McDonald, and his staff; then Acting High Commissioner for New Zealand, Llewellyn Roberts, and his staff; and also Wellington Mayor Justin Lester and his team for their hospitality and their continued commitment to and partnership in bringing our two sister cities even closer together. I present the following paper:

Wellington mission—November 2018—Ministerial statement, 14 February 2019.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Future of education implementation plan

Ministerial statement

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (10.37): In August 2018 I released the government's future of education strategy, the product of an extensive conversation with children and young people, parents, teachers, school leaders, other educators, experts and community organisations about how education will be delivered to meet the needs of the next generation.

The strategy sets the overarching policy direction and guiding principles for how the government will deliver and improve school education over the coming decade. It provides a road map that will be supported by rolling implementation plans and a continuation of this government's long-term substantial investment in school education.

The strategy is based on four foundations and four principles for implementation. The four foundations are: to place students at the centre of their learning; to empower teachers, school leaders and other professionals to meet the learning needs of students; to build strong communities for learning; and to strengthen systems to focus on equity with quality.

The strategy was developed through a deep conversation with the ACT community, with some 5,000 individual contributions, half of which were from children and young people. This journey is summarised in a consultation report that I have released alongside the strategy. The strategy is also backed by robust research evidence about what is required to provide every child with a great start in life. The evidence underpinning the government's direction in the future of education strategy is clear and reflected in a wide range of sources, a synopsis of some of which is included in the research report that I released last year. It seems that every week more evidence confirms that the government is on the right path.

As I have said time and again, against the protests of the Liberal opposition, the strategy is unashamedly driven by a belief in educational equity. The ACT government believes that every child deserves a great education and the life chances which flow from it. We believe this because of the power of education to level out all of the things that are going on in the lives of children so that children have the opportunity to reach their potential. This does not happen by accident. It does not happen by ignoring the needs of each individual or ignoring that some children face prejudice from the start.

Educational equity is a key to achieving a fair, more equal society, free from the disadvantage arising from economic, social, cultural or other causes. Late last year the OECD released a report titled *Equity in education: breaking down barriers to social mobility*. Unsurprising to this government, the OECD has found that Australia is not providing equity in school education. As a nation, we are not ensuring that school student outcomes, including academic performance but also social and emotional wellbeing and post-school pathways, are not dependent on a child's socio-economic background. The government and I, as education minister, are tackling this sorry situation head on, and the future of education strategy is guiding this work.

It is relevant, too, that I draw the attention of members to another recent research report published by an Australian think tank, the Centre for Policy Development. Last month they published a discussion paper, *Separating scholars*, that analysed the changing demographic characteristics of schools, in particular social stratification. Its conclusion is troubling. There is an increasing segregation of disadvantage in Australian schools as policy settings allow schools to divide students, families and communities on a socio-economic basis.

I raise these two examples because they provide vital context for the government's approach in its policy decisions in the education and early childhood portfolio. The ACT has not been immune from these problems, but this government is acting to bring about change.

What needs to happen? Andreas Schleicher, the OECD director for education, summarises in the OECD report some key policy lessons from the most equitable school systems: start early, ensuring that all children, but particularly those from disadvantaged backgrounds, can access high quality childhood education and care; have high expectations for all students and usefully monitor their progress; target resources towards students and schools experiencing disadvantage; reduce the concentration of students experiencing disadvantage in schools; develop teachers in their capability to focus on individual student needs and foster diversity; and grow positive school communities that engage families and are considerate of the wellbeing of students.

I encourage members to read this report. It is enlightening. It also has a very familiar focus, one that is echoed in my statements in this place about the government's future of education conversation and in the strategy that resulted.

Since the release of the strategy, the government has been working with the ACT education sector on the implementation plan for its first phase. We have been discussing with government and non-government schools, as well as related agencies like the Board of Senior Secondary Studies and the ACT Teacher Quality Institute, the contribution that they make in the first two years of the strategy.

A robust implementation plan is forming. The plan will continue and build on the initiatives that the government immediately commenced in the 2018 budget; in particular, working on strong relationships with the University of Canberra and more robust teacher coaching and mentoring.

Towards the end of 2018 I launched the UC affiliate schools program, with an initial focus on public schools. This partnership with the university is establishing a robust feedback loop between teaching practice and research. It will grow professional knowledge and support innovative teaching practice. It will do this because teachers are the key to improving student learning outcomes.

Through the program, pre-service teachers at the University of Canberra will be better supported through a greater focus on the practicum. The government will provide scholarships to establish teachers to undertake master's level further study. Action research projects on a small and large scale will allow the profession to interrogate teaching practice and innovate, as well as providing the government with research-informed school and system improvement. The outcomes of these elements will inform professional learning and initial teacher education so that the best teaching practice is propagated with both new and existing educators.

Also last year, in December, I launched the government's empowered learning professionals initiative. At the heart of this program is a focus on training school leaders to improve their approach to mentoring and coaching so that all teachers receive quality feedback on their practice. It is vital that teachers are effectively supported by more expert colleagues, and this program will achieve that. During term 4 of 2018, the first professional learning program in coaching and mentoring was provided to public school leaders, conducted by renowned international expert Professor Helen Timperley from New Zealand. It was very well received and is being followed up with a series of targeted workshops during 2019.

The initiative will also see additional support through the employment of four skilled teachers with expertise in pedagogy, learning difficulties and literacy and numeracy programming, and funding to engage leading national and international experts to work alongside our teachers. There will be more opportunities and time for collaboration and sharing of best practice within and between schools. The government is also training school leaders in data literacy skills so that they can better identify and understand the needs of each student.

While my intention had been to present to members the government's first phase implementation plan during February, the plan will be supported by budget funding and therefore it would be inappropriate for me to release the details before the budget is settled. However, I draw members' attention to some key elements of the strategy that will be prominent in the plan.

Notably, the policy lessons raised by the OECD's director of education are present in these and other decisions of the government in the education portfolio. As I said in releasing the strategy, at its core is an acknowledgement of human diversity among students and a need to personalise education to each child. The government will progress this with a continuing and deepening focus on inclusion. We will also further support student agency through personalised learning that allows each student to tread their own educational pathway, based on their developing interests, knowledge and skills.

The government will continue to invest in teachers and the teaching profession through extension of the initiatives I have already outlined. Also prominent will be a focus on improving the capability of teachers to use data to inform the learning needs of individual children and providing teachers with the right skills and tools to obtain the data that they need through, for example, formative assessment.

It is also important that there is a teaching workforce available to offer the range of high quality learning opportunities that students need and expect. The government will devise a workforce plan that will look, at an industry level, at making sure there are teachers available to meet our needs. The government, in its management of the public system, will also prepare a complementary workforce plan for government schools.

One option being explored in the public system is the sharing of specialist teachers across schools to make sure that all schools have equal access to the skills needed for high quality specialist programs like languages and music. In a similar way, the government's future skills academy is being developed as a hub of expertise and resources that schools across the city can access so that student learning opportunities do not depend on the local school alone. This is emerging as an effective, efficient way of genuinely putting every student at the centre of their learning.

Building on this, and in response to the Assembly resolution about language education, I can inform members that the Education Directorate is scoping a review of language programs in government schools, the outcomes of which will lead to an action plan. As I highlighted in debate on the motion, there are diverse offerings of language education in ACT schools as part of delivering the Australian curriculum. Delivery of language education in a systematic, meaningful way that provides a quality learning opportunity for students relies on a curriculum and on quality teaching delivered by qualified teachers.

Important in this review will be to look at the recruitment and retention of specialist language teachers—the primary challenge for providing language programs—as well as the student language pathways from primary school to college. This will rely on initiatives like the sharing of these teachers across schools and a greater coordination across schools than currently exists in our system of school autonomy, which, members should note, is part of the framework for the operation of government schools, rooted in longstanding law and policy. And through the review the government will consider and engage with the community languages network, which is chaired by the Education Directorate.

There is an opportunity to expand the available languages on offer because of more recently available language curriculums and teaching resources. And, as I have previously raised, I am committed to ensuring that students have the opportunity to learn Indigenous languages of the Aboriginal and Torres Strait Islander nations that first inhabited this region. But it would be naive to suggest that, even after this work, a student will always have access to any language of their choosing. The opposition seem to think that they can deliver that, but it is an empty promise. It is simply impractical to resource the delivery of P-12 programs in every of the more than 40 languages represented in the community languages network.

The future of education strategy also has implications for physical school infrastructure. As members would know from recent budgets, the government is building the new schools that our community needs and is upgrading existing schools to provide modern learning environments. As this investment in public education facilities continues, the government will look at how community school approaches can be integrated from the outset in the design of new facilities. This will allow schools to better integrate the provision of education, health and social services, youth and community development, and community engagement. Schools are community hubs, and the government will be more deliberate in using them in this way. Again, this work has already begun, with the design for the new school in Denman Prospect including an integrated early learning centre.

As members will recall, alongside the strategy, the government has been working on the ACT's first early childhood strategy. This strategy is a vital part of implementing the future of education because of the need for a focused effort on setting up every child for success. A clear direction is forming that recognises the universal need and individuality of every child, the need to better value educators in the early childhood sector, and the opportunity to better leverage the resources that are expanded in this sector. I am proud that the ACT led Australia in committing to work towards universal, free early childhood education for three-year-old children. Since my announcement of this commitment, I have been pleased to see the federal Labor opposition deciding that it will partner with states and territories in this area if it takes government.

Last year, the Assembly asked that I report back on measures aimed at lifting academic performance in schools. What is required is pretty clear. What is required is what the government is doing. We are setting each child up for success through more equitable access to early learning. We are investing in teachers and the teaching profession. We are making sure that systems providing the machinery for our schools focus on equity, because a child's educational opportunity should not depend on their background or family circumstances. We are allocating resources, significant amounts of public money, on an equitable basis.

There are numerous specific initiatives underway that will support academic achievements in ACT schools. For example, the Education Directorate's early years literacy initiative, which began in 2017 with the support of Tasmanian expert Christine Topfer, has been focusing on developing essential foundation skills in literacy among students in preschool to year 2. It is doing this by entrenching evidence-informed best practice and empowering teachers and school leaders with the capability to deliver high quality teaching. By the end of this year, 49 schools will be directly involved, with all schools being able to access the associated professional learning.

The government's empowerment of learning professionals is foundational, and our commitment is clear. Our commitment to equity, to every child having the opportunity to have their individual learning needs met at school, is foundational and clear. The government's future education strategy will give the ACT's children and young people the very best chance at a bright future. I look forward to telling

members more about what we are doing and what we have achieved over the coming years.

Madam Speaker, I present the following paper:

Future of education—Implementation update—Ministerial statement,
14 February 2019.

I move:

That the Assembly take note of the paper.

Debate (on motion by **Mr Wall**) adjourned to a later hour.

Housing ACT—total facilities manager Ministerial statement

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (10.54): On 18 January 2019 the ACT Auditor-General tabled the performance audit into Housing ACT's total facilities management procurement. I am happy to inform the Assembly that the overall conclusion from the audit was very positive about Housing ACT's procurement process. The Auditor-General noted that the procurement was effectively planned and managed, with sound administrative arrangements in place for a procurement that was complex, high value and high risk.

When I initiated the process of procuring this major contract, I emphasised the need for an outcome that does the best by tenants, workers, local businesses and the community, with a real focus on social outcomes and value for money. I believe this contract is achieving those things and that this Auditor-General's report gives us a solid endorsement of the way the procurement was run.

The objective of the audit was to provide an independent opinion to this Assembly on the effectiveness of Housing ACT's procurement process. The audit assessed the procurement against three criteria: that the procurement was conducted in accordance with the ACT government's procurement legislation and processes; that Housing ACT's procurement process promoted the achievement of value for money; and that effective arrangements were in place for integrity and probity.

The findings in relation to each of these criteria were very positive, with the Auditor-General making one recommendation that the government should review and revise probity information to provide more detailed guidance and clarity to directorates undertaking procurement activities. Noting that the government has yet to formally respond to the recommendation, I can advise the Assembly that Procurement ACT has taken this recommendation on board.

The positive findings of this report and the success of the procurement process overall are a result of concerted effort by the government to respond to the 2016 performance

audit into the administration of this major contract. The oversight and performance measures in the contract have improved to ensure that we meet those recommendations and get a better outcome for the many people who interact with this contract and the services it provides.

I would like to thank Housing ACT's procurement project team for undertaking this complex, high-value and high-risk procurement. The procurement process included considerable consultation and involved a range of groups, including public housing tenants, UnionsACT, United Voice, subcontractors and the community sector. The work being done under this contract is very important to the community and public housing tenants. The tradies and subcontractors are out every day fixing broken windows, changing locks and helping to maintain tenants' homes.

Throughout the process I wanted everyone to have an opportunity to have a say and really deliver the best outcome. Right from the start, tenants and prospective contractors were brought together to talk through each other's expectations, which I am told is a new approach to how things are normally done. Tenants made it clear how they would like to be treated in their home, and under the new contract workers and subcontractors are treated fairly to ensure they are engaged correctly and paid in a more timely manner. Housing ACT sought a model of service delivery from tenderers that provided value for money, innovation and flexibility and that would assist Housing ACT to achieve its social outcomes and fulfil its social landlord responsibilities.

Programmed Facility Management Pty Ltd, the successful tenderer, commenced services on 1 November 2018. Programmed proposed the best service model to be delivered in a manner that achieves the key objective and the key service principles of achieving efficiency and value for money, providing best customer experience with a very good approach to responding to tenants' needs and expectations, promoting social outcomes, and continuously improving quality and innovation.

Since the commencement of services on 1 November 2018, Programmed Facility Management have been working closely with Housing ACT to ensure a seamless transition with minimal disruption to tenants. As part of their tenant employment program, they have recruited two trainees for the customer service and administration centres, sourced from Housing ACT tenants and the disability cohort. Two apprentices from the social cohort groups have been successful in obtaining full-time employment in the multi-trades and plumbing fields.

Programmed Facility Management has also established partnerships with Spark Ginninderry to develop and implement training programs for job readiness for social cohort candidates; Programmed Skilled Workforce, to provide employment opportunities for Indigenous jobseekers; the Alexander Maconochie Centre and Bimberi Youth Detention Centre, who are currently considering and designing training opportunities for people nearing release; and Indigenous organisations, to discuss employment opportunities in the trade industry.

A lot of time and effort has gone into the delivery of this contract, and it is great to have this report to show that the approach taken for procurement was the right one.

The contract has been operating since November, and I have already heard positive feedback from tenants about their interactions with staff and responsiveness to maintenance issues.

I also attended the opening of Programmed's Canberra office and smoking ceremony in December last year. It was great to meet with the staff that are delivering on the social outcomes and employment targets in the contract. I look forward to the continued relationship between tenants, Programmed and the ACT government in delivering these vital services to our public housing tenants. I present the following paper:

Housing ACT'S procurement of a Total Facilities Manager—Outcome of the ACT Auditor-General's performance audit—Ministerial statement, 14 February 2019.

I move:

That the Assembly take note of the paper.

MR PARTON (Brindabella) (11.00): This side of the chamber welcomes the minister's assurances that the procurement process was conducted efficiently, and that it will achieve a positive result for public housing tenants in this space. Often the words of the minister are not supported by the feedback that we get on the ground, in our email inboxes and in various other forms of engagement.

The conclusion of a new contract for facilities maintenance services is certainly a timely event. The new contract was supposed to be in place by mid-2017, but the previous contract had to be extended to 30 June 2018 and beyond, thus prolonging the agony and the uncertainty for the previous contractor, subcontractors and public housing residents alike.

Judging by correspondence that we received, the experiences of many public housing residents during and prior to the transition period were not positive. I look forward to seeing a better service for public housing tenants, and hope that the instances of serious neglect over long periods of time will abate. I will also be interested in how effectively services are delivered, including things like the enforcement of tenant-responsible maintenance and the timely rectification of derelict public housing properties.

In conclusion, the Auditor-General has delivered good news for public housing residents, and I look forward to a better outcome for them. In the meantime, we will certainly be taking a very close interest in how the new service is performing.

Question resolved in the affirmative.

Revenue Legislation Amendment Bill 2019

Mr Barr, pursuant to notice, presented the bill, its 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) (11.02): I move:

That this bill be agreed to in principle.

I am pleased to introduce the Revenue Legislation Amendment Bill 2019. I do so because the government is committed to continued improvements and the effective operation of the territory's tax laws. Tax revenue pays for important infrastructure and services right across the ACT, which benefits all residents. It is important that our tax laws are fair, effective and in line with community expectations.

This bill introduces amendments to protect territory revenue and preserve the integrity of the revenue collection system in the territory, and it addresses a range of minor technical and administrative matters related to tax law.

The amendments in this bill to the Taxation Administration Act 1999 will expand on existing debt recovery powers to enable more timely notification of outstanding tax debts. This will assist taxpayers and financiers to better manage financial risks and debt payment. It will also provide greater flexibility and effectiveness to existing debt recovery powers.

The bill provides the ACT Revenue Office with the ability to inform parties who have an interest in the property of a defaulting taxpayer, such as mortgagees or credit providers, of the amount of an outstanding tax debt and the existence of a statutory first charge. This will promote transparency and allow tax debts to be on a level playing field with private debts.

The bill also provides for the recovery of tax debts from mortgagee banks, similar to tax arrangements in New South Wales, Queensland and Victorian legislation. Provision is also made for tax debts to be registered as a first charge on land owned by a debtor. This will facilitate the recovery of unpaid tax debts from future sales proceeds or from the mortgagee of that land. These provisions include appropriate safeguards to ensure engagement with the tax debtor, to promote transparency of actions over clear time frames and to address the potential for substantial hardship to some affected parties.

The bill also proposes a further range of technical and minor amendments to other aspects of the ACT tax system. Under changes to the Taxation Administration Act 1999, it will be made clear that a 25 per cent penalty tax rate will be applied as the base default rate. This amendment will align the ACT with other jurisdictions.

Also, the requirement to give taxpayers 14 days to pay penalty tax would be removed. The period for payment would be that stated in a notice of assessment. This would be consistent with the provisions of other jurisdictions, such as Victoria, South Australia and Tasmania. A general remission power for interest and penalty taxes is also

provided, consistent across tax lines, again to align with New South Wales and Victoria.

The bill includes amendments for a limited exemption from land tax for private properties rented through a community housing provider. This is in line with the ACT housing strategy to incentivise private landlords to supply affordable rentals through a registered community housing provider. Under the arrangements in the bill, the minister may determine criteria that apply to participants in this scheme. This will provide for rents at less than 75 per cent of market rates and make properties more accessible to tenants in the bottom two income quintiles. References in the land rent and planning and development acts will also be updated for certain taxes, to recognise them as recoverable.

The bill also includes an amendment to an existing duty exemption which would extend the exemption to University of Canberra declared land subleases. This change addresses earlier omissions from amendments in 2015. The bill will insert a clear basis in the Duties Act for homebuyer assistance schemes. The Betting Operations Tax Act 2018 will be amended to exclude bets placed under the Pool Betting Act 1964 to address a previous omission in drafting and correct incorrect references to section numbers.

The ability to apply for a rates, land tax and other charges certificate will be restricted to certain persons—the owner, the purchaser or mortgagee of a parcel of land. This will better protect the privacy of property owners. The Taxation Administration Act will be amended to enable the disclosure of information in situations where there is a serious threat to life, health or safety, similar to provisions in the Information Privacy Act 2014. The bill also contains other minor amendments to address wording and description matters in various pieces of tax legislation.

Through this bill we are continuing to ensure that our tax system is fit for purpose. The Revenue Legislation Amendment Bill promotes the integrity and operation of tax laws in the ACT and supports the functioning of government to the benefit of all Canberrans. I commend the bill to the Assembly.

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

Fuel Pricing—Select Committee Appointment

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) (11.08): I move:

That:

- (1) a select committee be established to inquire into and report on fuel prices in the ACT, including:
 - (a) fuel price methodology and key determinants;
 - (b) characteristics of the ACT fuel market, including historical changes;

- (c) the impact of fuel prices on the ACT community;
 - (d) reasons for significant pricing discrepancies within the ACT and when compared to other Australian communities and capital cities;
 - (e) consideration of best practice approaches and initiatives in other jurisdictions which have a meaningful impact on reducing fuel prices; and
 - (f) regulatory and legislative solutions and barriers, particularly around competition and retail margin;
- (2) the select committee shall consist of the following:
- (a) one Member to be nominated by the Government;
 - (b) two Members to be nominated by the Opposition; and
 - (c) the Chair shall be the Government Member;
- (3) the select committee is to report by the last sitting day in June 2019;
- (4) the foregoing provisions of this resolution, so far as they are inconsistent with the standing orders, have effect notwithstanding anything contained in the standing orders; and
- (5) nominations for membership of the committee be notified in writing to the Speaker within two hours following conclusion of the debate on the matter.

Canberrans have been paying too much for petrol for too long. It is easy to find references in this place and in the media to the inexplicably high prices Canberrans have paid for petrol, stretching back many decades. I know I speak for many when I want an answer to the question: why is it that some retailers in Canberra can sell petrol at around \$1.20 a litre but the bulk appear to be 20 to 25 cents a litre more expensive? For a standard tank that translates to well over \$10 additional that Canberrans are paying each and every time they fill up.

This means that over the course of a year Canberra families are paying hundreds of dollars more than the equivalent New South Wales family each and every year, and without any compelling reason why. I do not think that is acceptable and I am sure colleagues agree. To date, there have been no credible grounds put forward for why our residents pay more every time they go to the bowser. Even New South Wales residents living in more remote parts of the south-east of the state have cheaper fuel.

I have written to the ACCC on this issue on multiple occasions as Chief Minister and as Treasurer. I have travelled to Sydney and personally met with the chairman of the ACCC to urge it to use its investigative powers to undertake a deep-dive analysis on why the fuel market is failing consumers in the ACT.

The ACCC were given ministerial powers in 2014 to investigate fuel markets where there were concerns about fuel prices. Despite the obvious concerns regarding fuel prices in the ACT, we were overlooked for such an ACCC inquiry. Instead they focused on areas like Armidale, Launceston and Cairns. Members might want to contemplate which federal seats those cities reside within.

With the continued lack of interest and advice from the ACCC in relation to petrol prices in this region, we have had to use our own investigative capacity to take a

closer look at these issues and provide a clearer picture of why Canberra drivers pay so much more for fuel.

The select committee inquiry I am asking the Assembly to establish today will be tasked with looking at fuel price methodology, at the characteristics of our fuel market, the impact of fuel prices on the community, reasons for significant pricing disparities between Canberra and other capital cities, and the pricing disparity with surrounding New South Wales local government areas.

The committee will be asked to examine best practice approaches and initiatives that other jurisdictions have put in place that may have a meaningful impact on reducing fuel prices. It will have the power to request the attendance of retailers and wholesalers to explain how their prices are set and why these differ so markedly from petrol stations just across the border in New South Wales.

Throughout the public debate on fuel prices in our city, the voices of these large retailers in the past have been absent and continue to be absent. It is time for these powerful companies to come forward into the public arena to justify their fuel prices. I anticipate that the inquiry will draw out what factors are at play in the Canberra fuel market, and I hope the result of this work will see recommended actions that the ACT can take to heighten competition and drive down prices.

It is also worth hearing from those petrol retailers who are taking competition up to the main players and selling fuel at very competitive prices within the ACT. We know those operators exist—many Canberrans use them on the eastern part of our city, in Fyshwick and around Majura and the airport precinct.

Separately, I have also commissioned a detailed analysis from the Independent Competition and Regulatory Commission on fuel price factors and market competition, in parallel to this proposed Assembly committee inquiry. The ICRC's work is to give us a sense of what an appropriate retail margin would be in our city, factoring in the cost of transportation of fuel from larger depots—for example, from Sydney, Newcastle and Wollongong—into our market.

There is a legitimate price cost associated with the transport of fuel to Canberra; I think we all accept that. But what we find hard to believe is that this cost would be 20 or more cents a litre, especially when prices in towns surrounding Canberra, like Gunning and Cooma, are so much lower when transport costs would be similar.

The select committee is proposed to provide its final report to the Assembly by the middle of the year. The ICRC analysis is expected to take a similar time frame to complete, allowing the government to consider both reports in developing a response that will benefit Canberra motorists. This is not the first time that this issue has come before this place. I remember back in the 1990s it was a policy approach to seek to release sites to the market for independent operators.

Mrs Dunne: That really worked!

MR BARR: For a short period that injected some competition. But, as the interjection from Mrs Dunne indicated, that did not prove to be a long-term panacea. This is not an easy issue; there is no quick fix. I do not think anyone is proposing that there is a quick fix, but I think there is benefit in shining a light on the practices of certain retailers in this city and making them publicly account for the gouging they are undertaking on Canberra motorists.

It is also fair that we take further action so that consumers see in the advertised price, on the display boards for petrol stations, the true price and not the shopper docket discounted price. I am pleased the legislation Minister Rattenbury will be bringing forward will do just that. We need to reduce misleading price signage at petrol stations. There certainly have been attempts by retailers to lure people in with headline prices that most consumers do not actually receive.

We reach this point because the ACCC, for whatever reason—the cynics amongst us will observe which markets benefited from their deep-dive activities, and the fact that they were all marginal coalition seats tells you something—has not investigated the situation in Canberra. I have been to Sydney; I have met with the head of the ACCC. I have been pursuing this issue for many years now. We have limited powers, but we should investigate the full range of options available to us. In saying that, I understand, as does everyone in this place, that there is no one single, magic, simple solution to this issue. If there had been it would have been implemented by successive governments over many years throughout the history of self-government and, indeed, prior to self-government.

What we are seeking to do is to hold to account those who are gouging Canberra motorists and to get some factual information in relation to retail price margins that may inform a more dramatic government intervention in the future. I do not rule that out. I suspect that, of all of the options available to us, price watch schemes may have some impact, but they are not going to provide a 20-cent-a-litre reduction in fuel prices. The schemes already exist; people know where the cheap fuel is in Canberra. We need to recognise that those schemes have limited effect.

It may well be that the only way to get a territory-wide reduction in the outrageous fuel prices is for a direct government intervention to set a maximum retail margin in this territory. But before taking such dramatic action it is important that this Assembly committee undertake that work and that the ICRC provide that information to the government.

I am pleased the ACCC has also indicated willingness to cooperate and provide information to us. It would be a dramatic step for the government to seek to intervene to set a maximum retail price margin, but it is a step I am willing to take if nothing else will work, and the evidence suggests that that will be a lasting solution to this problem of price gouging in this city.

That is not a step that the government should take lightly, and that is why we have this process before us today. I hope the attention that the next six months will focus on the outrageous price gouging of some national retailers in our market will see them

respond with lower prices. I commend those operators in the territory who are doing the right thing and pricing their fuel in a competitive way.

One thing Canberrans can do in the short term is to support those outlets. I am pleased that they are taking further steps to expand their capacity and reduce the amount of time it takes for those who utilise those particular outlets. Costco deserve great credit here for what they have already done and what they are proposing to do. I have been pleased to engage with them on those questions.

I look forward to a robust committee inquiry process. This appears to be an issue where we have agreement across this chamber. We may disagree on the best approach to get a lasting solution, and it may be that a combination of measures might achieve the outcomes we are seeking for Canberra motorists. But today I commend the select committee process to the Assembly.

I also indicate the government's willingness over the next six months, through the work of the ICRC, to take a serious look at a very, very significant market intervention as part of the suite of options available to the government. I note that that is not something we would undertake lightly, and we want to see the results of this select committee and the ICRC's work and the input of the ACCC before reaching a final conclusion on this matter. I commend the motion to the Assembly.

MR COE (Yerrabi—Leader of the Opposition) (11.21): The opposition welcome this motion put forward by Mr Barr today and we look forward to participating fully in this inquiry. We also welcome his new-found interest in the issue of fuel pricing in the territory. This has been going on for a very long time. Why is it that today, not last year, not two years ago, not three years ago—why is it that today—we have this inquiry before us? What has changed in the last period? The Canberra Liberals joined others in putting pressure on the government and, indeed, on many others to try to get some downward pressure on petrol prices in the territory.

There are some practical things that the ACT government could do, like having a 24-hour cap on petrol prices. That is something that the government could do. That is something that the WA government has been doing for a couple of decades, and it is worth a trial. And that was what the Canberra Liberals called for. We called for a trial of 24-hour capping.

It does not stack up that petrol prices should be what they are in the territory. How is it that petrol in Boorowa is 20c a litre cheaper than here? How is it that in Bowral it is sometimes 30c a litre cheaper than here? Canberrans are being gouged and we have been gouged for a long, long time.

I certainly hope that this select committee is able to look into this in some depth. I do agree with the Chief Minister that it is not easy. There are not simple solutions. But there are some options that are worth exploring.

I note that the Chief Minister and his government are now looking to change the board advertising of petrol prices. We look forward to seeing that legislation. What impact that actually has on petrol prices remains to be seen. I expect very little impact,

especially when all the petrol prices in Canberra, or at least in regions, seem to be very, very similar. It does not stack up that the same trucks delivering the same fuel to different locations in Canberra should cause the disparity that they have. Whilst the rates and land tax regime is responsible for much hardship in the business sector in the ACT, even the extortionate rates and land tax regime cannot be responsible for the petrol price gouge that we have in the ACT.

There is a lot of work that needs to be done. I do not think that we have a good market operating here. There is so much regulation. There is regulation and legislation at every single step of this process, whether you are talking about the importation of oil, the refining process, the transportation process, getting licences or having approvals to open a petrol station. The list goes on and on and on. This is already an extremely regulated market.

Anybody who says that this is an unfair market intervention has to really reflect on this: is this even a market? It is so heavily regulated and so restricted that it is barely a market at present. You cannot just open up a new petrol station easily. You cannot just bring new petrol into the country or new oil into the country easily. The restrictions on new operators mean that this is not a market that is operating well and it is certainly not a market that is operating freely. Critics say this is an unreasonable market interference, but I think this requires a far more detailed analysis than just those glib lines.

We are pleased to participate in this inquiry. We hope that the ACCC and also the ACT government are forthcoming with information that will inform the inquiry. Hopefully, it will lead to some practical steps that we as a legislature can take to put down the pressure on petrol prices in Canberra.

MR RATTENBURY (Kurrajong) (11.26): The ACT Greens will be happy to support this appointment of a committee today. The Chief Minister has outlined his rationale in bringing this forward, and we agree with those comments. I think this issue has come back onto the public radar because people have just had the annual holiday experience of leaving Canberra, going to other places and realising that petrol is significantly cheaper in other places, for no apparent reason.

Both Ms Le Couteur and I, who were away at various places over the summer holidays, had this conversation when we got back. We were struck by the differences. And I think it does point to the fact that there is some sort of Canberra factor going on here. I think we have all known it for a long time, but it is that annual trip away somewhere that a lot of people go through that brings this back to the fore and reminds us that some Canberra factor is being applied. And, frankly, I do think some petrol outlets in the ACT are gouging their customers. They are taking a profit because they think they can and I think they are taking an unreasonable profit there.

Having this committee look at this range of issues I think is very worth while. There is clearly, as has been touched on, not an easy solution. I think if there had been it would have been implemented by now. Given that the measures that have been taken have not had the effect that we would all desire, I think it is time to think about what further steps can be taken.

Certainly in addition to this inquiry—and the Chief Minister has flagged this—under various pieces of legislation there are powers available to the government to consider regulating prices. Those powers sit within an act for which I am responsible, and that is where I have had discussions with the Chief Minister.

The referral to the ICRC to undertake a study of the petrol market in the ACT and provide quite technical and detailed advice will complement the work of the committee. And that will give us a basis on which we might consider the use of those legislative powers. I think that they are there and are available to us. They were powers that were put in place a long time ago and we need to reflect on the modern petrol market as it exists and whether those laws are still suitable.

But, given the experience we are having, there may well be a role for government to intervene in a way that would perhaps not be considered normal these days. This might be a piece of legislation for another time. We could have a very modern application. And we will consider that as we go along.

Mr Coe touched on the issue of fuel boards. I will not speak to that, as we are about to debate the legislation and hopefully pass it this morning. I will make some further remarks when we get to that debate—at the rate the clock is going, possibly this afternoon. But we will come back to that matter later.

Ms Le Couteur and I, in discussions, have been reflecting on the fact that of course there is a challenge around the greenhouse gas emissions that result from the use of petrol in motor vehicles. I think that one of the solutions in the medium term will be a greater uptake of electric vehicles. Those who own them currently talk about the fact that they can power their car extremely cheaply using electricity.

The challenge at the moment is that there are not many vehicles available in Australia and the ones that are available are quite expensive. This is not an immediate solution for most Canberra households. But certainly, with new vehicles arriving in Australia in just the last few months at much lower price points, this in the medium term is going to be something that will not only address significant environmental issues but also provide households with options where they can assess their own transport needs and think about what the better option is for them. I think there will be some medium-term solutions there as well. But, for the purposes of today, we are pleased to support the establishment of this inquiry.

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) (11.30), in reply: I thank members for their support of this reference. I think it is an important piece of work and something that hundreds of thousands of Canberrans will have an abiding interest in.

It is, of course, par for the course in this place that people will seek to say someone has only done something in response to something else. I would simply draw to members' attention the various news articles going back to 2014—in fact, seven days after I became Chief Minister. It was one of the first issues that I raised at that point in time. So it has been a consistent campaign we have been pursuing.

At that time the then federal Minister for Small Business, Bruce Billson—remember him—issued a new direction under the Competition and Consumer Act which gave the ACCC a range of new powers. And it was just the week before Christmas in 2014 that I wrote to the ACCC Chairman, Rod Sims, expressing our desire that the Canberra market be one to be investigated.

This has been a long-term issue. It is something that many, many people have been concerned about for some time. There are, as members have indicated, a range of complex factors. The select committee will have a task in front of it to work through those issues. But I would encourage committee members across the political divide to ask the tough questions of the retailers. Do not be afraid to pursue them.

I think the example that was set by the Senate and a Senate committee in pursuing the banks that then led, finally, after 26 votes against, to the establishing of a royal commission by the federal Liberal government is a good example. The proof there was the power of a parliamentary committee to call witnesses and to demand answers. And that led to the royal commission and is hopefully going to lead to significant change in the Australian banking industry.

I do not think there is going to be a royal commission into fuel prices in the ACT, but this select committee can shine a light on these issues and demand answers from the retailers. I encourage whoever nominates for this committee to be robust in their questioning of the retailers.

I should respond to a couple of other observations that the Leader of the Opposition made. He should be aware that, because of the nature of the territory's planning and zoning system, a retail site for the selling of petrol is in fact one of the lowest value uses of a piece of land. And under our system I think he will find that rates are, in fact, lower for that land than for other commercial purposes.

Given that most, but not all, of the petrol retailers in the ACT are not part of large corporate chains—they are either franchises or otherwise—they do not fall into our payroll tax net. But they would in New South Wales, and they would here if we had their payroll tax system. It would seem that the retailers here have lower statutory charges from the territory government, as opposed to what would be paid across the border in New South Wales. So that is not a factor in higher retail prices in the territory.

I should also take the opportunity to correct some misinformation that has been circulating in the public that the ACT charges any sort of fuel tax or excise tax. States and territories are constitutionally barred from charging any excise taxes. All fuel taxes in this nation are levied by the federal government. There is no differential between states and territories in terms of fuel taxes charged. They are collected by the Australian government. That furphy that has been circulating around the community, that somehow it is ACT government taxes and charges that are contributing to higher fuel prices, is simply not the case. I think it is important that that is put on the public record today.

I also acknowledge the comments made by Minister Rattenbury that an enduring and long-term solution to this issue will be the transition of the private vehicle fleet in our territory over time to electric or hydrogen fuel cell-powered vehicles. Not only will that be good in terms of reducing greenhouse gas emissions and helping the territory achieve our 2045 goals around zero carbon emissions; it will also be a more cost-effective way to operate our transport fleet.

But that is not going to happen in the next 12 months. It will probably happen over the next 12 to 20 years, as the manufacture of internal combustion engines winds up. I understand that in Europe they will not be made anymore from around the mid-2020s, and I suspect the rest of the world will follow pretty quickly as the price of electric vehicles continues to fall. In the intervening period it is important that we do what we can to put downward pressure on fuel prices.

The government is also pursuing reforms that will put downward pressure on CTP prices to reduce the overall costs for motorists in our city as we make a transition to a fairer CTP scheme and we make a transition to a more environmentally sustainable and more cost-effective way of running our transport fleet in this city.

I commend this motion to the Assembly and thank members in advance for their rigorous participation in the select committee process.

Question resolved in the affirmative.

Administration and Procedure—Standing Committee

Proposed reference

MS LEE (Kurrajong) (11.37): I move:

That this Assembly:

(1) notes that:

- (a) government school visits by MLAs serve a valuable purpose in increasing an MLA's knowledge of the ACT school system and developing an appreciation of the talent and enthusiasm of students and teachers in ACT schools;
- (b) recent publicity has highlighted the difficult arrangements that surround MLAs accepting invitations from government schools to attend activities and events at their school;
- (c) this has created embarrassment and frustration for government schools and MLAs alike;
- (d) no such restrictions are applied by independent and Catholic schools for visits by interested parliamentarians, at the Territory or at the Federal level;
- (e) there is not a current written, publicly available policy for government schools to follow or for Parents and Citizens Associations to refer to when inviting MLAs to their school; and
- (f) that such restrictions are not common in other jurisdictions; and

- (2) calls on the Standing Committee on Administration and Procedure to:
- (a) examine whether the protocols in place around the permissions for MLAs to visit or attend school events constitute an impediment to the Members performing their function as MLAs and in complying with the Code of Conduct for all Members of the Legislative Assembly; and
 - (b) report back to the ACT Legislative Assembly on these protocols by the last sitting day in May 2019.

We have 88 government schools in the ACT, with a student enrolment of roughly 48,000 and over 5,000 teachers and support staff. The Education Directorate has a budget of \$5 billion over four years and our second largest expenditure after health. A significant number of all our constituents in every one of our electorates has a connection with a school—as a parent, grandparent, teacher, volunteer, ancillary worker or even as alumni.

On that basis alone it is more than unreasonable that MLAs, at least on this side of the chamber, have had considerable difficulty in gaining access to events, visits and information gathering at our 88 government schools. I say “at least on this side of the chamber” because, other than a recent incident between two members of the Labor Party, I am not certain whether Labor MLAs have had much more luck than us in being granted a golden pass for a school visit.

As shadow education minister I am frequently and regularly invited to attend non-government schools—to the opening of a new building, to learn about plans for growth, to attend a concert or an awards ceremony, or simply to become more familiar with a particular school. Since taking on this portfolio I have submitted requests for school visits, as is the practice, to the education minister’s office, and on many occasions the school I have asked to visit is not the one that I am offered. Anecdotally, the minister’s office have said that they believe there are schools they want to highlight. The obvious corollary to that must be that there are schools they are not keen for us to see.

For my own part, I have never sought to make political publicity out of any school visit. I have never, and I am not aware of any Liberal MLA who has, sought to introduce political material into any school, whether government or non-government, at any time. I have followed every single direction given by the ministers and the directorate about these visits, including being accompanied by at least one directorate staff member at all times, not taking any photographs, and taking the directions so seriously that I have not even followed up with so much as a thankyou card or sent any government school principals and their teachers a “happy World Teachers’ Day” card. It does make for some very awkward conversations when principals and teachers welcome me so warmly and ask me to visit at any time and I have to explain that we are not allowed to.

As my motion says, government school visits by MLAs serve a valuable purpose in increasing an MLA’s knowledge of the ACT school system and developing an appreciation of the talent and enthusiasm of students and teachers in ACT schools. Any restrictions, whether or not intended to thwart the ability to increase knowledge

of our government school system, are counterproductive. If we only have access to non-government schools, it stands to reason that it is those schools that we end up understanding and getting to know better.

I have received criticism from the AEU and the minister for only highlighting the good work done by non-government schools, but there is a failure to acknowledge the significant challenges that we have had in accessing government schools. I have spoken very warmly in this chamber and congratulated the principals and staff at the government schools that I have had a chance to visit.

Frequently, the minister has suggested that those of us on this side of the chamber ought to reasonably know something or other when we ask questions about a specific process, policy or practice or an occurrence in schools. But with limited opportunity to talk to teachers or to talk to students who attend government schools, how are we to understand the culture, the strengths and the ins and outs of any particular government school? Seeking briefings on certain activities or matters relating to schools is often met with “that is a privacy issue” or “that is too general a topic” or some other deflection.

I was not in the Assembly when previous education ministers and shadow education ministers had the portfolio, but I am told that it was a lot more open and requests were a lot more graciously managed. In fact, I came across some old files from Mr Doszpot’s time as shadow education minister earlier this week. I could not help but note that requests sent to the then education minister, now the Chief Minister, Andrew Barr, were replied to in a friendly and cooperative manner, and visits were facilitated in a very timely way. Sadly, that has not always been my experience under the current arrangements.

I say this notwithstanding that visits to government schools that I have had the chance to visit have all, without doubt, been wonderful experiences. I take the opportunity to thank the minister, her staff and the directorate staff who have made those visits warm and welcoming.

When we find out that something has happened in schools and we raise it in this chamber, the minister is quick to jump down our throats and reprimand us, saying that we do not know what is going on. Yet there is an attempt by her office to restrict the very way that we can, in the best way, find out what is going on. This is not the case in other jurisdictions. In New South Wales, for example, the protocol states:

Local Members take an active interest in schools within their electorates, which includes visits. Local Members, whether in Government or Opposition, should be warmly welcomed at schools within their electorates. All arrangements should be made between the principal and the Local Member’s office.

Madam Speaker, my motion is not unreasonable. It is mindful of the professional relationship that must be adhered to. It seeks an assessment from a source other than the minister as to what protocols may be appropriate. The admin and procedure committee comprises members from all parties. My motion seeks nothing more than for that committee to consider whether the current protocols are unfairly impeding

MLAs from carrying out their duties and to clarify the protocols so that there is no risk of MLAs inadvertently breaching the code of conduct.

I note that there have been a couple of amendments circulated; I will address some of those comments in my closing speech. I commend my motion to the Assembly.

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (11.44): The government has proposed an amendment to Ms Lee’s motion, which I have circulated, and I now move that amendment:

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

“(1) notes that:

- (a) ACT government schools often host community events outside of business hours that are available to members of the community and where Members of the Legislative Assembly are welcome;
- (b) during business hours, government schools are focused on teaching, learning and related activities; and
- (c) the Minister for Education and Early Childhood Development has approved business hours visits to government schools for members of all political parties, where appropriate;

(2) further notes that:

- (a) government schools are required to operate apolitically and electoral engagement by a politician is an inappropriate activity in a government school;
- (b) the education minister is responsible for the effective operation of government schools;
- (c) for many years a protocol available on the Education Directorate website has provided guidance on government school visits by dignitaries;
- (d) the Minister for Education and Early Childhood Development has consistently applied this protocol;
- (e) the Code of Conduct for Members of the Legislative Assembly requires members to ‘uphold the separation of powers’ and ‘recognise the unique position of impartiality and the obligations of public service officials’ within a framework of constitutionalism inherited from the Commonwealth of Australia;
- (f) government schools are staffed by public servants who are part of an apolitical public service that assists the Executive and serves the community on behalf of the Executive; and
- (g) public servants are responsible to the Executive through the ordinary lines of accountability; and

(3) calls on all Members of the Legislative Assembly to work with the protocol and Minister for Education and Early Childhood Development regarding any government school visits.”.

These amendments are necessary to correct factual errors in the motion. They deal with the pretty silly and extremely selfish position that has been put out by the opposition. I will go through some of those arguments but, in a nutshell, it is not about any of us. It is not about you, Ms Lee; it is not about anyone on this side of the chamber. It is about the 49,000 students and 3,700 teachers who have a right to teach and learn in environments without being required to stop everything and host a local MLA whenever it suits.

Those people are entitled to have visits to their schools managed in a responsible way, and that is the job I have been doing since taking the education portfolio. If that seems a bit harsh, well, I am sorry, but this motion proves why it is required. It is troubling that this motion is all about what MLAs can get out of involving themselves in school communities. It does not consider why schools exist, and the implications of what Ms Lee is suggesting for students in the school. Ms Lee seems to suggest that it is reasonable that schools should be available for politicians to wander through for electoral purposes at their own convenience. I am afraid this is not okay.

Yes, on appropriate terms school visits are a welcome part of learning, and in that context I approve them. The directorate sent along officers on the visits Ms Lee has been on to support with advice and information that might not be available at the school level. The DLO in my office is always timely with arranging school visits. Sometimes there are diary clashes and arrangements that do not work and visits can take a little more time to organise.

For the record, neither I nor my office has ever told the Education Directorate to uninvite anyone from any school visit. The reporting of the *Canberra Times* on that was not correct. The policy in place performs a very necessary function in making sure schools are not taken advantage of or politicised. On this issue the opposition record is unfortunately concerning. Take their display of how they tried to beat up a crisis and panic over asbestos at Harrison School. Would it have been right for them or anyone to be wandering through the school at that point? Take the kinds of statements Ms Lee has been making about public school teachers and their union as the government worked with the union to address occupational violence. Take this week's tactics in relation to Theodore. Should any of us be there right now?

Beyond these examples, there are very important matters of principle at play. Most importantly, the government school system exists to provide education-related services to children and young people. It is there to serve the interests of students. In doing this, the government school system fulfils its purpose. That purpose is there for all members to read in the Education Act enacted by this Assembly, in section 18, and it is the minister who is responsible for the effective operation of government schools.

This is a pretty simple part of the system of constitutional government that exists in the ACT. The executive, the ministers of this place, are responsible under the self-government act for government administration. Under the self-government act, that includes the delivery of education. The education minister is responsible for the administration of the government school system and its schools.

As to the role of the Standing Committee on Administration and Procedure, I am not sure it has any. Government schools are required to operate apolitically and, in general, community or electoral engagement by a politician is an inappropriate activity in a government school. Government schools are host to a diversity of families, families who hold a range of political, religious and philosophical opinions and who come from a range of backgrounds and circumstances. Government schools are free and open to everyone and, therefore, the effective operation of government schools requires equity, universality, and non-discrimination.

Beyond this, government schools are staffed by public servants employed under and bound by the Public Sector Management Act. Public school teachers are part of our apolitical public service that assists the executive and serves the community on behalf of the executive. They are responsible to the executive through their principal, who is in turn responsible to executives in the education directorate and ultimately to me as education minister.

So we get to the matter of the school visit protocol. Quite simply, the education minister is the person who needs to make sure that the participation of MLAs in government schools does not detract from their effective operation. Proper administration of government schools is the minister's responsibility. There are a number of reasons that might mean it is inappropriate for an MLA to just show up at a school. In the ACT in multi-member electorates that could mean 25 members showing up to a school.

Opposition members interjecting—

MS BERRY: Madam Speaker, a point of order.

MADAM SPEAKER: The interjections; members, please let the minister continue.

MS BERRY: Thank you, Madam Speaker. It could be that there has been a critical incident that is in the process of being managed at a school. Maybe, sadly, a death in a school community has occurred or even something as innocuous as a period assessment might be underway. These reasons equally apply across both government and non-government schools. In non-government schools the system or school manager makes decisions about when and in what context a visit by a dignitary is appropriate.

The motion as proposed reflects on the different situations and rules that apply in other states and territories. Unsurprisingly, this is because the ACT context is different. Those states and territories, except for Tasmania, do not have the multi-member electorates I was referring to in such a small geographic area as that which exists in the ACT. I ask members to think practically about this.

We also would not be having this debate if we were talking about access to other government facilities. Consider for a moment if MLAs could invite themselves whenever they liked to an emergency services facility, police station, hospital, mental health facility, prison or any other government office block.

Ms Lee makes an argument that somehow all MLAs have an integral need for knowledge of the ACT school system and an appreciation of the talent and enthusiasm of students and teachers in ACT schools that cannot be obtained without free access to government schools. It is a hollow argument, and I do not believe it has any support in the code of conduct for MLAs.

How is it that Ms Lee's expectations would fit with clause 3, requiring members to uphold the separation of powers? What about the requirement in clause 18 that in all their dealings with members of the ACT public service MLAs should recognise the unique position of impartiality and the obligations of public service officials?

These expectations protect the public service and its officers because they serve the government of the day by implementing its policies and responding to its agenda. It would place public servants in a compromising position to be available for interrogation by any MLA, because government school staff, as public servants, are appropriately responsible through the channels I have explained.

None of my remarks on this motion mean that government schools are not appropriately available to MLAs with a legitimate cause to engage with these schools. It is a matter of ensuring that this happens on the basis of a fair policy that is consistently applied. For many years a protocol available on the Education Directorate website has provided guidance on government school visits by dignitaries. On this point Ms Lee's motion is simply incorrect. The protocol pre-dates me, although it was refreshed and reissued early in my time as minister.

I circulated this policy to all members again this week in response to recent media. I have consistently applied this protocol, irrespective of political party, as is clear in recent media reports. I have applied the protocol to members of the government, including you, Madam Speaker. But I have also applied it to members of the opposition such as Mr Coe and Mr Milligan, who directly approached government school principals in Yerrabi, and Mrs Kikkert, who sought my agreement to visit Ginninderra schools as a local member, despite schoolchildren not being electors.

In consistently applying the protocol I have maintained the integrity of government schools, and I will continue to do so. In no way does the protocol prevent the accountability of the government to the parliament or unduly impede parliamentarians from accessing the information necessary to fulfil their functions. There are many mechanisms through which ministers are subject to scrutiny and responsible to parliament, and information is available to all parliamentarians. The mechanisms apply to all government schools and, where appropriate, I have not stood in the way of members engaging directly with government schools.

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.

MS BERRY: I have agreed on occasion for MLAs of all parties to participate in educational activities in government schools. In fact, Ms Kikkert and I attended one at

Canberra High School last year. The shadow education minister has visited government schools as part of her portfolio responsibilities. Members of the government, typically ministers or members representing ministers, from time to time visit schools as a legitimate part of their responsibility for promoting government policy, programs or financial investment.

Outside of school hours ACT government schools often host community events where members of the Legislative Assembly are of course welcome. But during business hours or at school events government schools are focused on teaching, learning and related activities. In these circumstances I am responsible, and in these circumstances it is important that members respect the proper administration of government schools. The alternative to the protocol is that school principals, as public servants, find themselves in the awkward position of being asked to accommodate politicians according to their whim. The government will oppose Ms Lee's motion and support the amendment I have moved.

MR RATTENBURY (Kurrajong) (11.56): I move:

Omit all text after (1), substitute:

“notes that:

- (a) school visits by MLAs serve a valuable purpose in increasing an MLA's knowledge of the ACT school system and developing an appreciation of the talent and enthusiasm of students and teachers in ACT schools;
- (b) government schools are staffed by public servants, who are part of an apolitical public service that assists the Executive and serves the community on behalf of the Executive; and
- (c) the Minister for Education has approved business hours visits to government schools for members of all political parties;

(2) further notes that:

- (a) the protocol for MLA/MP/Senator and other dignitary visits to Canberra public schools is available on the Education Directorate website; and
- (b) the protocol does not apply to independent and Catholic schools who have their own processes for organising visits by interested parliamentarians; and

(3) calls on the Standing Committee on Administration and Procedure to:

- (a) examine whether the protocols in place around the permissions for MLAs to visit or attend school events constitute an impediment to the Members performing their function as MLAs and in complying with the Code of Conduct for all Members of the Legislative Assembly; and
- (b) report back to the ACT Legislative Assembly on these protocols by the last sitting day in May 2019.”.

Members will see that my amendment has some text from both Ms Lee's motion and some of Ms Berry's points in her amendment. I think it reflects what I saw to be the key points of this motion.

It is quite clear that our schools and, for that matter, a range of other facilities cannot be a free-for-all; people cannot just turn up whenever they wish. I do not think that is what is being discussed today, but there clearly need to be protocols. It is right that there is an approval system and the like, and I do not have a sense that anybody disagrees with that.

I note that in Ms Lee's original motion there was reference to independent and Catholic schools. I imagine they probably have protocols in place as well. I suspect they might differ a bit because, by their nature, they are independent schools. But each of these places, for obvious reasons of safety—knowing where people are and having vulnerable people in schools, as young students can be—needs to have a system.

I noted Ms Berry's email earlier this week after the original motion came out. Ms Lee noted there is no current written publicly available policy. I understand that there is. I have read it this week. It seems reasonably straightforward, but that is not to prejudge the inquiry that is going to take place. We will support a referral to the admin and procedure committee.

This is not a controversial thing; this is an opportunity for members to express concerns, if there are any, and for a group represented by all parties to look at this and work through any glitches that might be in the system. My amendment supports the referral to the admin and procedure committee. The committee can hear from MLAs who might be concerned about the current protocol.

Ms Berry is right that there is a time and a place for visits as well. If there is an incident going on at a school it is probably not the best moment to invite people for a visit, but that does not mean that two weeks later there might not be an opportunity for someone to have a chat to the principal and have a conversation about what happened and their take on it.

It is right that members of the Assembly should be able to go, but I do not think members should be going there all the time. As with my portfolios covering the jail and mental health units, members are free to visit those places but they need to be cognisant of the various privacy, security and like issues that float around them. I commend my amendment to the Assembly.

Debate interrupted in accordance with standing order 74 and the resumption of the debate made an order of the day for a later hour.

Fuel Pricing—Select Committee Membership

MADAM SPEAKER: I have been notified in writing of the membership of the select committee. For the information of members, the membership is Ms Cheyne, Mr Parton and Mr Wall.

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) (11.59): I move:

That the Members so nominated be appointed as members of the Select Committee on Fuel Pricing.

I commend members for their enthusiasm for this inquiry and look forward to seeing the results of their hard work.

Question resolved in the affirmative.

Sitting suspended from 12.00 to 2.00 pm.

Questions without notice

Schools—bullying

MR COE: I have a question for the Minister for Education and Early Childhood Development. Minister, have you visited the Tuggeranong primary school mentioned in the *Canberra Times* on 11 February since the events came to light?

MS BERRY: No, I have not. Given the circumstances that have been described in the *Canberra Times*, the director-general and directorate officials have visited the school or are at the school supporting the school principal and school staff as well as the families that have been involved in the issues. There has been a meeting this week with the community at that school—last night. I had a member of my office attend that meeting. The people who attended that meeting were aware that there was a member of my office at that meeting, given that we were sitting here in the Assembly. I expect to visit the school sometime soon, but I have left it up to the director-general, who is the manager of schools in the ACT, to get things in place before I get out to the school and talk with the school community.

MR COE: Minister, did you visit or did you direct the head of your agency to visit the school this week and did you also direct her to visit the school when you first became aware of these issues last year?

MS BERRY: I did not direct the director-general to visit the school. She visited the school because she is the manager of public schools in the ACT. Directorate officials have been at the school since last year and the beginning of this year.

MS LEE: Minister, will you agree to a joint visit with me, and perhaps even Mr Rattenbury, to the school—as you say, when you are going to visit—given the Assembly's unified concern about these issues?

MS BERRY: I will take that question on notice.

Public housing—Stuart flats

MS LE COUTEUR: My question is to the minister for housing and relates to the planned sale of the Stuart flats, advertised for 20 March 2019. Minister, how much social and affordable housing will the government require the developer to provide on this site?

MS BERRY: There have been no decisions made by the government about changes to housing on that site. There are no plans at this stage to have any housing other than private housing on that site.

MS LE COUTEUR: Minister, how is this consistent with the affordable housing strategy announced last year which committed, I thought, to 15 per cent of public and affordable housing in both greenfield and infield development?

MS BERRY: That is part of the new affordable housing plan. These particular housing dwellings are part of the existing, and soon to be completed, renewal program.

Schools—bullying

MS LEE: My question is to the Minister for Education and Early Childhood Development. At the Tuggeranong school that has been in the media recently it has been reported that a child has been choked into unconsciousness on the playground, another student cornered in a toilet and swung around by a broken arm and at least one child hospitalised with concussion. Minister, what are you doing to stop this happening tomorrow and into the future and how will parents be able to know that their children going to this school are safe?

MS BERRY: As I have described in the Assembly this week the ACT government takes issues of violence in schools very seriously and is implementing programs around positive behaviours for learning. This is a very successful program that is rolled out across New South Wales schools. It is about creating an environment with the whole school community. It is not about addressing just single issues at a time but making sure that school communities can have positive and safe environments for all children and the staff who work there as well as the families that attend those schools.

It is important to note that the positive behaviours for learning program has only just started being implemented at Theodore school. The families involved in the individual issues raised in the *Canberra Times* are being supported by the directorate, and it is addressing the issue to make sure those students are supported as well.

As I said, last night the community met with the Education Directorate to understand very clearly what was happening at that school at Theodore, what the directorate was doing around making sure the community there is well informed about processes in place now and how they and their teachers can be informed and supported through this journey.

MS LEE: Minister, what counselling or additional training has been provided to the teaching staff to ensure that there is adequate supervision and management of these students, and did the positive behaviours for learning program start after you became aware of the issues, not before?

MS BERRY: Yes. This was not one of the initial schools that had the positive behaviours for learning program implemented. There are around 51 schools out of the 88 public schools in the ACT that are implementing the positive behaviours for

learning program. It started last year at Theodore primary but it has only just started and schools are just starting to implement and bed this down within their school communities.

MR PARTON: Minister, how many students from this primary school have been suspended due to violent behaviour and for how long?

MS BERRY: I will take that question on notice.

Schools—bullying

MR WALL: My question is also to the Minister for Education and Early Childhood Development. Minister, how many students have taken sick days at the Tuggeranong primary school in the past six months due to injury and bullying occurring at the school?

MS BERRY: I will take that question on notice, too.

MR WALL: Minister, what measures are in place to ensure that those students are kept up to date with their studies as a result of absences that may have occurred as a result of bullying or injuries occurring at the school?

MS BERRY: I cannot respond in relation to specific families but, generally, the school will work with the families with work that can be completed whilst students might not be attending school in the classroom. That is a regular occurrence that would happen within our schools. As I said, I will have to take the detail of the question on the actual number on notice.

MS LEE: Minister, how many parents at the school have asked for their children to be withdrawn?

MS BERRY: I will take that question on notice.

National Multicultural Festival—preparation

MS CODY: My question is to the Minister for Multicultural Affairs. Minister, how will the National Multicultural Festival promote inclusiveness in the ACT?

MR STEEL I am incredibly proud that we live in such an inclusive city, home to our country's largest celebration of cultural diversity at the multicultural festival. The festival is one of Canberra's most popular and well attended events. It brings people together from all walks of life to promote social cohesion, connection and inclusivity.

The festival provides a platform for people to showcase and share the traditions of their cultures and to connect with other people over a meal or a drink or by enjoying a cultural performance together. We are expecting tens of thousands people to come through the city during the event, sampling food from over 140 stalls, experiencing the Latin quarter, the Pacific Islander showcase, the European village, the China village, the US showcase, the Celtic tattoo, the Greek Glendi, the belly dance

showcase, India in the city and many more. This will allow attendees to experience the rich cultures and diversity of our neighbours and our friends.

The festival will also have an additional 145 embassy and information stalls. Across six stages there will be 150 performances from a range of different multicultural groups, which will further promote the diversity of our city to the world.

Madam Speaker, because of the importance of this festival to building inclusion in our city, the ACT government has committed an additional \$1.968 million to secure the future of the National Multicultural Festival over the next three years, including its 25th anniversary in 2021. The funding will also be used to continue the incremental improvements that have been made to the festival's operations in recent years.

The Multicultural Festival is only one way that we celebrate our multicultural communities throughout the year, but it is one of the most significant symbols of our inclusive city that welcomes people of culturally and linguistically diverse backgrounds from around the world. I am very much looking forward to the event kicking off tomorrow.

MS CODY: Minister, what will be the highlights of this year's Multicultural Festival?

MR STEEL: I thank Ms Cody for her supplementary. This year's Multicultural Festival has an incredibly exciting line-up of performances. We have invested a lot in entertainment infrastructure, for the enjoyment of all those attending this year.

We are very lucky this year to have our headline act of iconic Indigenous Australian singer Christine Anu on Friday night. I have to say that as a big Eurovision fan, I am particularly looking forward to seeing Isaiah Firebrace on Saturday night, who represented Australia at the 2017 Eurovision song contest. This year there will be six stages and 150 acts, featuring 2,000 performers in the city, demonstrating the amazing range of talent we are lucky enough to have in our multicultural community in the city and across Australia, as well as international performers.

Of course, food is at the heart of the festival. This year there will be 140 stalls providing food and drink from around the world. From paella to gozleme to French crepes, there will be something for everybody. I am also looking forward to celebrity chef Mark Olive hosting cooking demonstrations on Saturday, using native ingredients and herbs, and supporting the use of Indigenous food by new generations.

For me, the highlight of the Multicultural Festival is our multicultural communities, who have been there from the beginning. This is a proudly community-based festival, because it is the community groups who organise the food stalls and performances with countless volunteers across the three days, and who use this as an opportunity to support their cultural activities throughout the year.

MS ORR: Minister, what changes will there be for this year's Multicultural Festival?

MR STEEL: I thank Ms Orr for her supplementary question. Every festival has something different to offer, every year. This year the festival is starting earlier than

usual with some stalls starting from 12 o'clock, enabling people working in the city to share in the festival cuisine throughout their work day.

This year the festival also includes a languages showcase, demonstrating languages from around the world in poetry and in song. This has been organised by the ACT Bilingual Education Alliance and Mother Tongue—

Opposition members interjecting—

Ms Orr: On a point of order, Madam Speaker, I would like to be able to hear the answer to my question.

MADAM SPEAKER: Members, your interjections and private conversations—

Mr Coe: You can email it to them.

MADAM SPEAKER: Mr Coe—please. Your conversations do make it difficult to be heard sometimes. Minister—

Mrs Jones: Come on, Mr Steel.

MADAM SPEAKER: Mrs Jones, he does not need encouragement from you.

Members interjecting—

Mr Gentleman: On a point of order, Madam Speaker, you have given the opposition plenty of time to remain quiet while ministers give their answers in this place. You have given them some instruction. They still tend to interject, even during a conversation you are having with them.

Mr Coe: What's your point of order, Mick?

Mr Hanson: Is he critiquing the Speaker?

Mr Wall: I don't think that was a point of order.

MADAM SPEAKER: Mr Coe, Mr Hanson, Mr Wall, indeed all those on my left, allow the minister to continue.

MR STEEL: Our languages showcase is being supported by the ACT Bilingual Education Alliance and Mother Tongue Multilingual Poetry. Acts will include Brazilian poetry and songs from Mestiça.

At each festival we review our policies and procedures. Last year we had feedback from the independent Spring Green review and the community. We have made some changes to this year's Multicultural Festival regarding the sale of alcohol. We have been very clear that at this year's festival we are supporting our multicultural groups and our local producers to showcase the food and beverages that contribute to the cultural life of our city and the world.

Community groups will be permitted to sell alcoholic beverages that have a cultural significance to their community, consistent with the purpose of the festival. Commercial stallholders are restricted to locally brewed or produced beverages. These new terms and conditions have been in place since August last year and have been clearly communicated to applicants wishing to hold stalls at this year's festival. With more stalls selling alcohol than last year, the community can expect to experience beverages from around the world, as well as local brews. *(Time expired.)*

Education—Margaret Hendry School

MR MILLIGAN: My question is to the Minister for Education and Early Childhood Development. The new Margaret Hendry School in Taylor has opened and has adopted a new model of education involving no classrooms and no year levels. Minister, will there be provision for students in the Margaret Hendry priority enrolment area whose parents do not support the style of learning at the school to transfer to others?

MS BERRY: There are priority enrolment areas for the Margaret Hendry School and this type of learning that the Margaret Hendry School was able to talk about in the *Canberra Times* upon opening its doors this year is the kind of learning that I have been hearing about from teachers and school leaders during my conversations on developing the future of education strategy about making sure that there is evidence-based, research-informed education, education that is led by students and students having student agency about the kinds of choices they make with their education, ensuring that personalised learning can occur.

Ms Lee: Madam Speaker, on a point of order.

MADAM SPEAKER: Minister, resume your seat. Ms Lee.

Ms Lee: Thank you, Madam Speaker. Mr Milligan's question was specifically and quite pointedly: will there be a provision for parents of students in the priority enrolment area that she is speaking of who do not support the style of learning be able to transfer their children to other schools?

MADAM SPEAKER: You have a minute remaining in your answer. You may go to that point.

MS BERRY: Thank you, Madam Speaker. If they are unhappy with the way the school is providing education for their children then their first point of contact should be with the school.

MR MILLIGAN: Minister, what ability is there for parents outside the Margaret Hendry School area who do support that style of education to enrol at that school?

MS BERRY: As I was alluding to in my response to Ms Lee's questions, this is the kind of education that I have been hearing school professionals and students say they want to see across the ACT school community. You will see it already in other

schools across the ACT. Of course, there are some issues around older schools having different kinds of infrastructure in place.

I am pretty interested in education in the ACT. I think it is pretty important, Madam Speaker. That is why I listen to the professionals in the sector, hear about what they know, and then work with them to implement education that will be of benefit to every child.

MS LEE: Minister, will you be rolling out the style of teaching taught at Margaret Hendry School to other ACT government schools?

MS BERRY: As I was saying, it already exists in different ways across the ACT. At Alfred Deakin High School, for example, students are able to describe the kinds of things they are passionate about. Part of their weekly rostering for activity is about engaging in something they are passionate about, whether that is photography or some kind of art or some other passion they might have or some other pursuit they are interested in. This kind of personal learning is something our teachers and school leaders want to be able to engage their students on.

Mr Hanson interjecting—

MADAM SPEAKER: Mr Hanson, please.

MS BERRY: When I talk to young people and students and children at schools about this they say this is exactly the kind of education they want. They want to have education that is absolutely targeted at the way they learn and the things that interest them.

Education—occupational violence

MISS C BURCH: My question is to the Minister for Education and Early Childhood Development. In 2017-18, 75 per cent of all occupational violence incidents reported across the ACT public service occurred in the Education Directorate. Minister, why do members of the Education Directorate make up 75 per cent of reported violence incidents?

MS BERRY: As I spoke about in this place yesterday, the ACT government has been working very closely with schools, the school community and the Education Union about implementing a program to address violence in schools. This is a complex issue. In ACT government schools we invite and welcome any student, regardless of their background, regardless of things that might be going on in their lives that might cause behaviour in schools that can sometimes lead to occupational violence. That is the issue when you have human beings in a human service setting.

We are working very closely and very carefully to make sure that workplaces such as schools, government schools in the ACT, are safe workplaces. But it is a complex issue, and it needs to be addressed very carefully, as I said. That is why we have implemented the prevention of workplace violence program in schools, and we are

working closely with the AEU and their members to make sure that schools are safe places for everyone.

MISS C BURCH: Minister, what duty of care do you owe to staff who are working in these conditions?

MS BERRY: I have taken pretty much immediate action. I think I have made that clear in this place.

MS LEE: Minister, have you given your directorate a target for reduced violence in ACT schools to be achieved by 30 June 2020? If so, what is the measure of that target; if not, why not?

MS BERRY: No, because as I have discussed in this place time and time again, workplace violence, particularly in a school setting, is a complex issue. We are at the start of addressing the issue in the ACT, the first in the country to do so. We will work very closely with the union and its members to make sure that we get there. It will mean, as I said, that there will be further and increased reporting as we encourage teachers and school staff to report issues in their schools so they can be properly addressed.

Mental health—performance

MRS DUNNE: My question is to the Minister for Mental Health. Over the past couple of weeks, we have seen some alarming statistics about failures in the mental health system. I seek leave to table two graphics, one from today's *Canberra Times* online showing patients languishing waiting for mental health treatment and the other a page from the ROGS report.

Leave granted.

MRS DUNNE: I table the following papers:

Canberra—Slipping standards—Infogram—Copy of graph.

Mental health outcomes of consumers of State and Territory governments' specialised mental health services, 2016-17—Copy of graphs.

Minister, why, under your watch, have mental health figures in the emergency department, over-capacity in the adult mental health unit and mental health outcomes for patients and workplace safety for hospital staff deteriorated so dramatically?

MR RATTENBURY: It is true that we have seen an increase in demand for mental health services, particularly in the emergency department but right across the system. As I have said in this place before, one of the positives in the mental health space at the moment is that the breaking down of the stigma around mental health is seeing more people seek treatment or identifying as someone who needs help. This is a positive thing, but it presents a real challenge to the service system. The service system needs to adapt to cope with that increased demand and that changing

community expectation. One of my very clear agendas in this space is that we need to do that.

The figures that Mrs Dunne has cited, particularly the ones of waiting times in the emergency department, are familiar to me; I provided them to her in response to a question on notice. We are working on a number of options at the moment; as Mrs Dunne well knows, under the rules of question time I am not allowed to announce government policy, but I will look forward to sharing those details with the Assembly at the right time.

MRS DUNNE: Minister, in relation to declining wait times, the head of the emergency medicine council, Dr Judkins, said that this was the result of years of neglect. What have you done to turn around the years of neglect?

MR RATTENBURY: We have done a number of things. I have actually met with Dr Judkins and had a detailed discussion about the view of the Australasian College for Emergency Medicine, ACEM, on some of the ideas about how we can address this. They have put forward some very constructive suggestions, and I welcome that.

In response to their invitation, we sent a number of senior ACT officials to the summit that they convened in Victoria on how to address these issues, and those ideas are being worked on. Personally, I have in a recent overseas trip looked at what some other jurisdictions are doing to deal with these issues.

One of my views is that the emergency department is not always the best place for a person with a mental health crisis. I actually think that there are better ways that we can deal with people. That is some of the work that we are investigating at the moment. We are also undertaking renewed modelling on capacity issues and I expect that work to come back in due course.

MRS JONES: Minister, why is the new adult community mental health service model of care introduced in June 2018 and referred to in the same *Canberra Times* story apparently not working?

MR RATTENBURY: I refute completely the basis of Mrs Jones's assertion. The new model of care has been rolled out after various trial periods. It is a transition; you have to do it carefully. The feedback I have had so far is very positive: staff feel like they have more time to spend with clients and the waiting lists have reduced. Overall so far I have had only positive feedback on that.

Of course, it is only six to seven months old. There will undoubtedly be some tweaking and adjustment, but our staff are very committed to this model of care. They see it as a positive development for both their workload and stress levels and also the outcomes for their patients. I feel very optimistic that this model of care will make a valuable difference to the mental health consumers of Canberra.

ACT Fire & Rescue—equipment

MRS JONES: My question is to the Minister for Police and Emergency Services. Minister, I refer to a *Canberra Times* article of 27 January this year which stated that

when the ACT's only Bronto went to Sydney for maintenance on 5 January a replacement appliance did not arrive until 11 days later. ACT Fire & Rescue chief, Mark Brown, is quoted as saying that this work was pre-planned and arrangements were made for a loan Bronto from the Melbourne fire brigade. Minister, if these works were pre-planned why did it take 11 days to get the replacement appliance?

MR GENTLEMAN: I thank Mrs Jones for her question. The Bronto has been a difficult piece of machinery to work with. It has certainly had some failings and we are trying our best to maintain it as we go into the future to provide a new aerial appliance which of course is in the order and construction stream. But it has come up with a number of problems.

In the meantime we have tried as best as possible to source aerial appliances from either Melbourne or New South Wales to ensure that we can support our firefighters in doing their fantastic job in the ACT should the machine not be roadworthy or break down. We have seen it again break down recently. As much as possible we try to get another appliance in place or we have extra crews to do that sort of work.

MRS JONES: Minister, is the Bronto, at this moment, available for immediate response? If not, why is that, and what replacement appliance has been provided for this useless piece of kit?

MR GENTLEMAN: From the brief to me today, it has broken down again. There is a small issue with an electrical fault that is being worked on as we speak. As Mrs Jones has outlined, it is an older machine. We are trying for a replacement as soon as we can. Indeed we may need to look for another one, in order to have a secondary appliance.

MR WALL: Minister, on what date will a second aerial pumper be delivered and operational in the ACT, and will that then ensure that we have two operational aerial appliances in the territory?

MR GENTLEMAN: On most occasions we do have replacement vehicles. There is a vehicle to replace the Bronto when it has maintenance. When it has unfortunate breakdowns like we have seen we order a vehicle from either Victoria or New South Wales as soon as we can.

The new appliance has a two-year construction period. That has been well outlined in this place and in our budget estimates hearings. It is a long gestation to order the vehicle, have it built and on the road. In this situation we are looking to see whether we can look at another one in the not-too-distant future.

Environment—healthy waterways project

MS ORR: My question is to the Minister for the Environment and Heritage. Minister, what steps is the government taking to help make Canberra's waterways better?

MR GENTLEMAN: I thank Ms Orr for the question. I will pose this to the Assembly: as you drink your glass of water today, or have a cup of tea, think about

the molecules in that glass that humans have consumed for their entire history. Think about that for a minute: there is the same amount of water on Earth now as when our planet was formed. And, for a watery planet, there is not a lot of usable water. Nearly 97 per cent of the world's water is salty—

Opposition members interjecting—

Ms Orr: A point of order.

MADAM SPEAKER: Resume your seat. I think I know what the point of order will be.

Members interjecting—

MADAM SPEAKER: Members, please! The minister is on his feet. We know the rules on interjections. Minister, we will endeavour to hear you in silence.

MR GENTLEMAN: Thank you, Madam Speaker. Another two per cent is locked up in ice caps and glaciers. That leaves just one per cent for all of humanity's needs: agricultural, residential, manufacturing, community, recreational and personal. Of course, water is all around us here in Canberra: our beautiful lakes, the ancient Cotter, Molonglo and Murrumbidgee rivers, tributary creeks, suburban wetlands and ponds. Our waterways also support a diverse range of plants and animals and offer refuge for some threatened species.

The water in Canberra's suburban creeks, wetlands and ponds is mostly stormwater and run-off from residential blocks, streets, retail, industrial and agricultural areas. The water eventually makes its way into our lakes and rivers, largely untreated. The ACT healthy waterways project is a joint initiative of the Australian and ACT governments to improve the quality of stormwater that flows into our lakes and waterways and downstream past our borders into the Murrumbidgee River system and the Murray-Darling Basin.

Mr Coe interjecting—

MR GENTLEMAN: I know that Mr Coe thinks that healthy waterways is a funny topic; he interjects with laughter across the chamber. But it is a very serious topic. We have seen the degradation of our waterways and we have seen large fish kills because we have not been looking after our waterways. *(Time expired.)*

MS ORR: Minister, why is that investment important, and can you provide an update on projects in Evatt and other parts of Yerrabi?

Mr Hanson: Excellent.

MR GENTLEMAN: As Mr Hanson said, that is an excellent supplementary question from Ms Orr, showing that being a local member does not mean being opposed to the environment, an example those opposite should well learn from.

The government is improving water quality through the healthy waterways project. This involves construction of water quality infrastructure, like wetlands, ponds and rain gardens, at a total of 20 sites across the urban areas of the ACT, including the catchments of Lake Tuggeranong, Ginninderra, Yarralumla and Jerrabomberra Creek and including the project in Evatt in the member's electorate of Yerrabi.

Construction is underway on 19 of the 20 sites, with five completed and in the final stage of operational acceptance by Transport Canberra and City Services, who will own and maintain the finished assets. Civil construction will soon finish on another nine sites, with five due to finish by the end of autumn.

The ACT healthy waterways project is on time and on budget. The resulting assets will not only play a vital role in improving the health of our waterways but also provide recreational spaces for Canberra residents to enjoy. Water in the urban landscape is also known to counter the urban heat island and reduce ambient temperatures, which is important as climate change brings hotter and longer summers.

MR PETTERSSON: Minister, why is it important to support healthy waterways?

MR GENTLEMAN: I thank Mr Pettersson for his interest in the environment. It is very important that we protect the ACT's waterways and we are doing this through the healthy waterways projects. We have protected our Namadgi wetlands through the listing of high country bogs and associated fens on the ACT threatened ecological communities list and we are doing it through the important role we have on the Murray-Darling Basin water ministers council. Unlike some in this place, we do not regard this work—to quote from a very interesting speech from yesterday—as preaching to either the federal or state governments.

In recent months we have seen two damning independent reports into the management of the Murray-Darling Basin.

Opposition members interjecting—

MADAM SPEAKER: Members, please! Mr Coe, Mr Hanson, Mr Wall, Mrs Jones, can you just keep it down a tad. Minister.

MR GENTLEMAN: Thank you, Madam Speaker. Canberrans are rightly concerned about what has been happening in the basin and they want action, and we are acting. The environment does not know jurisdictional boundaries; it is our collective responsibility to act.

If you follow the logic that Ms Lee put forward yesterday there would be no environmental protection under the Canberra Liberals and no action on climate change. As this Assembly progresses it is becoming very clear that Ms Lee is the shadow minister against the environment.

Light rail—contractors

MR HANSON: My question is to the Chief Minister. Chief Minister, on talkback radio on Friday, 14 September last year you were asked about whether you were

aware that one of the major trucking companies involved in the light rail project is owned and operated by an outlaw motorcycle gang. You at the time refused to answer that call. So I will ask: is that claim true? Is one of the companies involved in the light rail project owned or operated by or connected to an outlaw motorcycle gang?

MR BARR: I do not believe so, no.

MR HANSON: Minister, what steps have you taken to ensure that no supplier, contractor or participant on the light project has any links to outlaw motorcycle gangs, given the allegation that was made to you on the radio?

MR BARR: Yes, following that allegation there was certainly a degree of interest, and I believe media interest at the time, and that has not demonstrated or developed any basis for that claim.

MISS C BURCH: Chief Minister, what steps have been taken to ensure that no supplier, contractor or participant in any government contract has any links to outlaw motorcycle gangs?

MR BARR: The recent reforms to procurement ensure that only those who operate with the highest ethical standards are able to conduct business with the ACT government. I would observe that it was those opposite who sought to oppose this particular reform, but if those opposite are so concerned about this matter—that anyone who might ride a motorcycle cannot be on the government payroll, if that is the direction that we are going in—perhaps the shadow Attorney-General, the interjector in chief on that side of the chamber, might want to reflect upon his position.

In all seriousness, random allegations that are made on talkback radio—

Opposition members interjecting—

MR BARR: Random allegations that are made on talkback radio, often through anonymous sources, SMSs, tweets and the like, which appear to be the new—

Mr Parton: What are you saying about talkback radio?

MR BARR: It is such a fine form of broadcasting, isn't it, Mr Parton? It brings out the best in the broadcaster and in the community! It is never designed to inflame or to be provocative! It is not about facts; it is mostly about entertainment.

Arts—Kingston arts precinct

MR PARTON: My question is to the Minister for Arts and Community Events. Minister, what progress has been made on the plan to develop the Kingston arts precinct since the tender was issued in February 2017?

MS STEPHEN-SMITH: I will take this as Minister for Urban Renewal as the Kingston arts precinct sits within the urban renewal portfolio. As we know, the Kingston arts precinct forms part of stage 5 of the Kingston foreshore estate project

and the land sales stage 5 was released to the market in October 2015 in accordance with the indicative land release program for that year.

The site was released as a single parcel of land with a unique opportunity to put forward an innovative design response that celebrates the history of the site. The development will deliver new arts facilities, an outdoor space, public areas, commercial spaces, residential dwellings and over 500 public car parks.

In February 2017 Geocon Group Pty Ltd was announced as the preferred tenderer but the preferred tenderer does not mean that the developer has won the tender or that information can be publicly released, due to the remaining interests of the other participating tenderer. Successful negotiation of the obligations between the preferred tenderer and the territory will result in an execution of all contracts, assuming that it goes ahead, which would then give the developer rights to develop the land in accordance with the tender submission and commence community engagement and the statutory approval process.

Since the announcement of the preferred tenderer in February 2017 the Suburban Land Agency was created and continued the post-tender process from 1 July 2017. The SLA and artsACT during 2018 undertook further review of the likely capital and operational costs for the future territory assets in order to progress the realisation of the Kingston arts precinct. Negotiations with the preferred tenderer commenced in October 2018. After cabinet considered the recommendations from the SLA both Geocon and SLA and artsACT are currently working in good faith to finalise the necessary obligations by the end of March 2019.

In December 2018 all participating arts organisations were provided with an opportunity to meet with the design team and see the elements of the tender (*Time expired.*)

MR PARTON: Minister, can you give further explanation as to why the project has stalled?

MS STEPHEN-SMITH: I would not agree with the premise of the question that the project has stalled. But I would say that the creation of the Suburban Land Agency and the City Renewal Authority, arising from the land development agency being abolished, did result in a re-examination of this process. The Suburban Land Agency board, quite rightly, wanted to apprise itself of the current arrangements at that time and have a good look at the process that was underway.

As I was saying, after the cabinet consideration, negotiations commenced in October 2018 and in December all participating arts organisations were provided with an opportunity to meet Geocon's design team, Fender Katsalidis and Oculus, and see elements of the tender submissions and the design team's vision for the project.

Design information that was provided to arts organisations at that time does remain the intellectual property of Geocon's design team and forms part of their commercial offer provided to the territory in response to the tender requirements. For those

reasons, the arts organisations understand the need for confidentiality. In this regard, agreements were executed with those organisations in relation to that matter.

I also know that the Suburban Land Agency met the Kingston and Barton Residents' Association in November to discuss the progress of the project. It will continue to meet with the residents groups and, of course, work closely with artsACT as the project continues.

MRS DUNNE: Minister, have any of the participating arts organisations expressed doubts about their continued participation in the project, and what is the future for these arts organisations given that they have been on tenterhooks for quite some time?

MR RAMSAY: Madam Speaker, I will take that question. The arts organisations are continuing to be consulted as part of the project. As my ministerial colleague Ms Stephen-Smith has indicated, they are working in good faith as part of that. We are very confident that they will be supportive of the ongoing work on the project.

Aboriginals and Torres Strait Islanders—procurement policy

MR PETTERSSON: My question is to the Minister for Government Services and Procurement. Minister, you recently announced public consultation on the Aboriginal and Torres Strait Islander procurement policy. What is the government aiming to achieve with this policy?

MS STEPHEN-SMITH: I thank Mr Pettersson for his question and his ongoing interest in procurement policy, particularly the Aboriginal and Torres Strait Islander procurement policy.

The Aboriginal and Torres Strait Islander procurement policy is yet another demonstration of the ACT government's commitment to supporting the economic, social and cultural wellbeing of Aboriginal and Torres Strait Islander people in the ACT. The policy aims to support Aboriginal and Torres Strait Islander owned and controlled enterprises to compete for ACT government work by removing barriers to their participation in government procurement and recognising the positive outcomes that can be delivered to communities through our expenditure on government goods and services.

The policy ensures that territory entities can identify suitable opportunities for Aboriginal and Torres Strait Islander enterprises and organisations in their procurement requirements, and allows territory entities to single-select organisations to tender for contracts valued under \$200,000.

The policy would provide for a range of mechanisms in order to deliver on these aims to open up procurement to Aboriginal and Torres Strait Islander businesses and organisations. This includes the certification of an enterprise's Aboriginal and Torres Strait Islander ownership, which would be completed by certifying authorities. The organisation is then listed on the territory's Aboriginal and Torres Strait Islander supplier list. That would provide opportunities for exemptions to the tender process in

certain circumstances, as I have explained, and also enable us to improve our reporting and review mechanisms.

These mechanisms will ensure that the aims of the policy are being achieved, with realistic targets for performance with a view to increasing these aims as the policy matures, and with a very clear understanding of some of the pitfalls that have been identified by other governments when they have implemented Aboriginal and Torres Strait Islander procurement policies. We have certainly been learning the lessons from other jurisdictions.

MR PETTERSSON: Minister, what consultation has the government undertaken to date on the Aboriginal and Torres Strait Islander procurement policy?

MS STEPHEN-SMITH: I thank Mr Pettersson for the supplementary question. One of the key aspects of any discussion or policy concerning Aboriginal and Torres Strait Islander peoples is, of course, the principle of self-determination. It is an important part of the development of any Aboriginal and Torres Strait Islander policy, and that includes the Aboriginal and Torres Strait Islander procurement policy.

The initial development of the policy was informed by close consultation, including valuable input from the Chair of the Aboriginal and Torres Strait Islander Elected Body, Katrina Fanning. In the latter part of 2018 ACT government officials invited a number of key stakeholders to one-one-one consultations to provide feedback on what was then the draft policy.

Written submissions were also invited from a number of important organisations, including the Aboriginal and Torres Strait Islander Elected Body, Supply Nation, Canberra Indigenous Business Network, Indigenous Business Australia, Canberra Business Chamber, and Winnunga Nimmityjah Aboriginal Health and Community Services. The feedback sessions were incredibly useful, and many of the organisations have indicated an interest to continue discussions as the policy continues to be developed during the course of public consultations and as we implement the policy into the future.

Public consultations on the Aboriginal and Torres Strait Islander procurement policy are now open on your say. This consultation was launched on 31 January. A workshop will be held with interested parties tomorrow, and the consultation closes on 17 February. I look forward to the outcomes of that public consultation, which will help to inform and shape the policy further. The policy will be finalised as soon as possible after that.

MS CHEYNE: Minister, what else is the government doing to support Aboriginal and Torres Strait Islander owned and controlled enterprises in the ACT?

MS STEPHEN-SMITH: I thank Ms Cheyne for the supplementary question. At the 2016 election ACT Labor recognised the importance of encouraging more Aboriginal and Torres Strait Islander controlled enterprises and organisations in the ACT. In the 2017-18 budget we committed \$100,000 over four years to deliver the new and emerging Aboriginal and Torres Strait Islander organisation support program.

The NEO support program, as it is now known, offers direct financial support to culturally specific and appropriate services for ACT Aboriginal and Torres Strait Islander community organisations. The program aims to: facilitate community-controlled leadership to develop culturally appropriate social services; embed culture; harness existing community capacity and develop new emerging leaders; implement good governance; establish trusting partnerships; and build and/or use a community development approach in service delivery.

The program is a demonstration of the government's commitment to self-determination. We know that self-determination is critical in advancing equitable outcomes for Aboriginal and Torres Strait Islander Canberrans. The NEO support program is also a key initiative supporting the ACT Aboriginal and Torres Strait Islander agreement 2015-18.

The NEO program underwent a review after the first round was unsuccessful and it was redesigned and reopened to applications fairly recently. This program in its redesign will absolutely support key focus areas of the agreement, including employment and economic independence, connecting the community, cultural identity, and education and leadership.

The most recent NEO grants round closed recently under the new guidelines. I am looking forward to learning about how it went and how it can be further improved, and to continuing to work with Aboriginal and Torres Strait Islander businesses and community organisations to build a stronger community in the ACT.

Arts—event funding

MRS KIKKERT: My question is to the Minister for the Arts and Cultural Events. Minister, in your answer to question on notice 2113 you said that from the 2019 ACT events fund, a total allocation of \$274,963 has been made in the main round. Allocations have been made to events in Kurrajong, Murrumbidgee, Yerrabi and even events located in New South Wales. Minister, the total allocation for events in Brindabella and Ginninderra is zero dollars. How many applications for events based in Brindabella and Ginninderra were received for the government's event fund for 2019?

MR RAMSAY: I will take that question on notice.

MRS KIKKERT: Minister why did not one event in Brindabella or Ginninderra receive any funding from the government's events fund for 2019?

MR RAMSAY: The process for the assessment of the events fund is on the quality of the applications themselves. The assessments were made purely on the basis of the quality of the events. I will continue to look into further ways of considering it in the future and whether there may be a curated approach and closer attention to geographic distribution.

MS LAWDER: Minister, what options are available for event organisers who missed out on this main round of funding to put on popular community events in Brindabella and/or Ginninderra this year?

MR RAMSAY: Event organisers can always put on events. One of the great things about the initiatives that take place across the community is that they do not necessarily rely on government funding. One of the things that I encourage people to do is to look not only to government funding. With respect to the great significance and impact of the arts on community and cultural events, we know that they can be sourced and engaged with in different ways. Organisations, individuals, artists, community events and community organisers are looking at a broad range of ways for not only funding but other forms of support.

Government—ex gratia payment

MS LAWDER: My question is to the Chief Minister. Justice Verity McWilliam in the ACT Supreme Court found in September last year that the Chief Minister had been given incorrect advice in refusing an ex gratia payment to Jack Hartigan for lifelong injuries he suffered when only six years of age in a vicious dog attack in Canberra in 2010. She ordered the Chief Minister to reconsider his decision. Chief Minister, how is it that you made an unlawful decision based on incorrect advice in the first place, and from whom was that advice received?

MR BARR: Any administrative ruling is subject to judicial review under our legislative arrangements. I think the source of the advice to me, as was very well canvassed as we debated it extensively in this chamber, was the ACT treasury.

MS LAWDER: Chief Minister, have you reconsidered your unlawful decision not to make an ex gratia payment to Jack Hartigan? If so, what is that decision?

MR BARR: The premise of the question is incorrect; it was not unlawful to make a decision not to grant an ex gratia payment. It cannot be allowed to stand that it is unlawful for the Treasurer to refuse an ex gratia payment. That, I presume, is not what Ms Lawder is seeking to imply in her question. I would hope not, but the wording of the question could lead one to believe that it is unlawful for the Treasurer to refuse to make such a payment.

In relation to the matter, treasury have responded to the advice and determination of the court in relation to having a clearer set of guidelines for determination of these matters. Contact has been made with the family and the family's lawyers as to whether they wish to provide any further information so I can make a decision. The latest advice a couple of weeks ago was that were yet to provide any further information. I will give them that courtesy. I am not Peter Dutton; I will not remake a decision 30 seconds after a court has made a different determination. I will give the family time to provide, through their lawyers, further information and will make the decision in due course.

MR HANSON: As part of that correspondence, Chief Minister, have you apologised to the Hartigan family, specifically Jack Hartigan, for the additional concern that I am sure he is feeling as a result of the court action and decisions?

MR BARR: I did not bring on the court action. I have acted at all times in accordance with the advice given to me and have sought to make a decision based upon all of the evidence available to me, including previous court determinations. I understand that this is a complex matter. This is a matter that is intensely personal for the family concerned.

But the point I have made is that political pressure, parliamentary pressure and media pressure cannot be the determining factor in whether an act of grace payment is made. It simply cannot. We cannot allow a situation where your success or otherwise in achieving a payment from government is based on your media campaign. That is a situation I could not, and no-one in my position could, allow to stand. The decisions must be made on the facts of the case and made in accordance with the Financial Management Act.

I will not be bullied or blackmailed into making a decision on this under political or media pressure. It is simply unreasonable and we cannot allow that sort of precedent in relation to decision-making on these matters. It simply cannot be that if you mount a media campaign or get a bunch of politicians on your side that that is the pathway to a payment. It cannot be that way. Anyone in my position, any future treasurer, would understand the importance of that. That is fundamental. It is not written into the act that if you get a campaign going you get a payment. (*Time expired.*)

Government—screen arts funding

MS CHEYNE: My question is to the Minister for the Arts and Cultural Events. Can the minister please update the Assembly on the outcome of the ACT government's 2019 screen arts funding round?

MR RAMSAY: I thank Ms Cheyne for her question and for her clear, demonstrated interest in the arts in Canberra.

I am pleased to advise the Assembly that six ACT filmmakers, screen artists and game developers have been successful in securing funding for their projects through the 2019 screen arts fund. The people who are funded in this year's round are Claudia Cooney, to work with an experienced screenwriter to draft a pilot episode script for a political drama series called *Monsoon Season*; Christian Doran, to develop a web series called *Mirrors*, which will further build on his already considerable achievements as a film producer and production manager, including as a line producer on the local feature film *The Furies*, which I was privileged to visit the set of last year in Bywong; Zayaan Jappie, to develop a short documentary on professional boxer Bianca Elmir, a young Canberra Muslim woman boxer; Marisa Martin, to produce a high quality short film, *Violet Daze*, that will serve as a proof of concept for a future horror feature film, working with an experienced industry writer and director; Meg Donnelly, for production of a short film called *The Sacred*, to develop her skills as a

screenwriter and director; and the Shy Kids Club, a husband and wife games development team, for the development of their first big commercial game called *With Friends Like These*, which encourages cooperation and communication between players.

I would like to take the opportunity to congratulate all of the funding recipients and thank them for the contribution that they make to our thriving screen industry here in the ACT.

MS CHEYNE: Minister, what have been some of the big success stories coming out of previous screen arts funding rounds?

MR RAMSAY: There have indeed been some great success stories. A number of the screen artists who have previously been awarded funding through this grants program have gone on to do great things and are fantastic creative and economic ambassadors for Canberra.

I am sure you will all be aware of the 2016 film *Joe Cinque's Consolation*. The writer, producer and director, Sotiris Dounoukos, was funded by the ACT screen arts fund and the screen investment fund for initial development of this project, which subsequently premiered at the Melbourne International Film Festival, featured at the Toronto International Film Festival and was released throughout Australia to great acclaim.

Local writing and direction duo, Paul Bissett and Catherine Prosser, have previously been funded for development of their children's feature film *Hoop*, which this week made the short list for the very prestigious Monte Miller awards through the Australian Writers' Guild. Universal Pictures is interested in making *Hoop*, which would shoot in Canberra.

Award winning Canberra writer and director, Vanessa Gazy, was funded by the screen arts fund for her short film *Highway*, which has been made an official selection at over 15 film festivals to date and is now to be made into a feature by Goalpost Pictures, of *The Sapphires* fame, and will shoot in the Monaro region. Vanessa is now being represented by William Morris in the US.

Clearly, the screen arts fund provides important early career support to some truly inspired and inspiring screen artists who are now achieving great success on the world stage and promoting our capital as a creative and vibrant city.

MS CODY: Minister, in what other ways does the ACT support the screen industry here?

MR RAMSAY: I thank Ms Cody for the supplementary question. Screen Canberra receives funding from the government to support the development of screen and digital artists, to invest in local feature film productions and to attract film productions to the ACT.

Members will know that in this year's budget the Chief Minister announced the establishment of the \$5 million CBR screen fund, which is administered by Screen Canberra. It is investing in commercial screen productions undertaken in Canberra to help build the growth and sustainability of our local film industry by attracting more major projects.

The fund partners on the development, production and marketing of high quality feature films, television series and other screen projects from local, interstate or international practitioners that have significant Canberra elements and benefit, and are capable of reaching local and international audiences and delivering commercial success. A minimum of 20 per cent of the fund is reserved for emerging local screen content providers.

It is great to see that this environment of government support for our screen industry is seeing Canberra build a reputation nationally as a location of choice for high-end TV dramas such as *The Code* and *Secret City*, and feature films such as *Joe Cinque's Consolation* and *The Furies*. Ease of access, ease of approvals for use of land, clear light under filming conditions, relatively light traffic and our proactive film office have made Canberra indeed a great place to film.

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

Supplementary answers to questions without notice

Government—ex gratia payment

MR BARR: Ms Lawder asked me a question in relation to the Hartigan case. I have been advised that Master Hartigan's lawyers have asked for an extension until 1 March to provide further information. That extension request has been granted.

Public housing—thermal performance

MS BERRY: During yesterday's question time Mr Parton asked me about how many at-risk public housing tenants were visited during Housing ACT's heatwave response. Housing ACT considers at-risk people to be 80 years of age or over living in single tenancies. During December 2018 and January 2019 Housing ACT made approximately 592 phone calls to talk to the people who live in public housing through how to look after themselves in extreme heat. An additional 43 face-to-face visits were conducted by housing managers where additional support was requested or where Housing ACT could not contact the tenant or family members by phone.

ACT Fire & Rescue—equipment

MR GENTLEMAN: In regard to the question on the Bronto earlier, I can advise that public safety was not compromised as a result of no aerial appliance being available in the ACT in January. ACT Fire & Rescue's ability to respond to fires where the aerial appliance would normally be utilised did not change. Other appliances could have been utilised to manage these incidents.

Personal explanations

MS LEE (Kurrajong) (3.05): Under standing order 46, I wish to make a personal explanation.

MADAM SPEAKER: Ms Lee.

MS LEE: Yesterday during the debate on my motion on safer school zones, I used the words “reduced speed zones around 10,000 New South Wales schools”. I wanted to clarify, just in case there was a misunderstanding, that that is 10,000 school zones, not 10,000 New South Wales schools.

MRS KIKKERT (Ginninderra) (3.05): Under standing order 46, I also wish to make a personal explanation.

MADAM SPEAKER: Mrs Kikkert.

MRS KIKKERT: As part of the explanation, I seek leave to table a document.

MADAM SPEAKER: Is leave granted?

Mr Rattenbury: Madam Speaker, can we have an explanation of what the document is, please?

MRS KIKKERT: The document is a motion that I tabled yesterday, with footnotes. I will explain.

Leave granted.

MRS KIKKERT: Thank you. I present the following paper:

Middle childhood—Services and programs—Copy of notice of motion with annotated references—Mrs Kikkert.

Yesterday, in addressing the motion that I moved relating to children in the middle years, Minister Stephen-Smith stated:

... some of the factual information presented has been taken out of context, and some of it does not reflect Australian data.

I have tabled a fully referenced copy of my motion from yesterday, which shows that, in every instance, quotes, statistics and other data have all come from Australian sources. Moreover, a quick look over these references will show that, in all cases but one, the information taken from these Australian research projects, studies and submissions originate from Australian-based research conducted within the Australian population. The sole exception was one statement regarding the emergence of mental health issues in middle childhood, which was taken from an American dataset that the

authors of the relevant document clearly understand to have full application in an Australian context.

I remain confident that none of this factual information has been taken out of context. Tabling this fully referenced version of my motion will make it easy for anyone who wishes to examine this claim to do so.

MADAM SPEAKER: I remind members that standing order 46 does not provide for debating points; it is just to make a personal explanation.

Papers

Mr Gentleman presented the following papers:

City Renewal Authority and Suburban Land Agency Act, pursuant to subsection 13(2)—City Renewal Authority—Land acquisitions quarterly report—1 October to 31 December 2018, dated 2 January 2019.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2017-2018—Chief Minister, Treasury and Economic Development Directorate—Corrigendum.

Financial Management Act, pursuant to section 26—Consolidated Financial Report—Financial quarter ending 31 December 2018.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2017-2018—Education Directorate—Corrigenda, dated February 2019.

City Renewal Authority and Suburban Land Agency Act, pursuant to subsection 43(2)—Suburban Land Agency—Land acquisitions quarterly report—1 October to 31 December 2018.

Freedom of Information Act, pursuant to section 39—Copy of notice provided to the Ombudsman—Canberra Health Services—Freedom of Information request—Decision not made in time, dated 14 December 2018.

Lower Cotter Catchment Restoration Evaluation—The Heroic and the Dammed, dated December 2018.

Planning and Development Act, pursuant to subsection 242(2)—Statement of leases granted for the period 1 October to 31 December 2018 dated February 2019.

Climate Change and Greenhouse Gas Reduction Act, pursuant to subsection 12(4)—Annual report by independent entity—ACT Greenhouse Gas Inventory 2017-18, dated 21 November 2018, prepared by Dr Hugh Saddler.

Heavy Vehicle National Law as applied by the law of States and Territories—Heavy Vehicle (Mass, Dimension and Loading) National Amendment Regulation 2018 (2018 No 554), together with an explanatory statement.

Aboriginal and Torres Strait Islander Elected Body Act, pursuant to subsection 10B(3)—ACT Aboriginal and Torres Strait Islander Elected Body—Report on the outcomes of the ATSIEB Hearings 2018—Eighth Report to the ACT Government.

Loose Fill Asbestos Insulation Eradication Scheme—Implementation—Report—1 July to 31 December 2018.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual Report 2017-2018—Chief Minister, Treasury and Economic Development Directorate—ACT Government Procurement Board—Corrigendum.

ACT greenhouse gas inventory 2017-18

MR GENTLEMAN (Brindabella—Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (3.07): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Climate Change and Greenhouse Gas Reduction Act, pursuant to subsection 12(4)—Annual report by independent entity—ACT Greenhouse Gas Inventory 2017-18.

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (3.08): I am pleased that the ACT government's greenhouse gas inventory for the 2017-18 reporting period has been tabled. The annual greenhouse gas inventory provides a comprehensive picture of the territory's emissions. It identifies the sectors responsible for greenhouse gas emissions, which assists us to tackle these sources in pursuit of our legislated target of net zero emissions by 2045 at the latest.

I am pleased to inform the Assembly that for the 2017-18 period greenhouse gas emissions in the territory have reduced by a further 14 per cent. This demonstrates a further decoupling of our emissions from both population and economic growth. The current greenhouse gas inventory estimates emissions from the territory in the 2017-18 period as 3,367.5 kilotonnes of carbon dioxide equivalent. This is the largest reduction we have had in recent years. It reflects a number of changes, including the role of our growing share of renewable electricity. Per capita emissions fell from 9.64 to 8.09 tonnes per person. We continue to be well below our per capita emissions from 1990 levels, which peaked at 11.45 tonnes of carbon emissions per capita.

The defining achievement in this reduction of emissions comes from our renewable energy policy. In the 2017-18 year renewable electricity generation grew from 30 to 49 per cent. This year electricity emissions fell by 27 per cent. This was as a result of a large increase in the volume of electricity acquired by the ACT government from contracted renewable generators. Two of the largest windfarm contracts from our award winning reverse auction process, Ararat and Hornsdale 1, started in the later part of 2016-17 and were in place for the whole of 2017-18.

At this point electricity remains the largest single source of emissions in the ACT, accounting for 44 per cent of emissions. With a move to 100 per cent renewable electricity, the pathway to zero emissions will need to focus on the remaining sectors, especially transport, gas, waste and land use. These sectors are likely to be more challenging and will require greater involvement from the community.

By 2020 the transport sector will be the ACT's largest producer of greenhouse gas emissions, accounting for approximately 62 per cent of overall emissions. The latest greenhouse gas inventory shows that, in the past year, transport emissions have continued their upward trend. The increase was 26 kilotonnes carbon dioxide equivalent, or 2.3 per cent, and is similar to the previous year. Transport emissions currently account for 34 per cent of total ACT emissions.

With the majority of transport emissions coming from private car travel, cars will soon become Canberra's single biggest producer of greenhouse gas emissions. It is essential that we improve the movement of people around our city, especially by increasing public transport and active travel, and reducing reliance on private car travel.

As stage 1 of the light rail commences operation in early 2019, it will provide a high quality public transport option in a busy and growing part of Canberra, and it will soon do so using 100 per cent renewable electricity. The electrification of all transport, including private cars and the public bus fleet, will also play an important part in reducing transport emissions in the future.

The ACT government continues to work towards increasing the uptake of electric vehicles and e-bikes through our transition to zero emissions vehicles action plan. Work continues on transitioning to a zero emission government vehicle fleet, installing new charging infrastructure and providing incentives for consumers to purchase zero emission vehicles. And ACT government public servants now have the ability to salary sacrifice an e-bike.

By 2020 gas is expected to account for 21 per cent of the ACT's total emissions. The latest inventory report reveals that emissions from natural gas decreased by four per cent on the previous year. This comes after a large increase in gas usage in the 2016-17 reporting period.

Residential customers account for well over half of total consumption. This highlights the need to make efforts to reduce gas usage across the territory, but especially in the residential sector. There are good opportunities for this such as, for example, through the expanded use of highly efficient electrical appliances as an alternative to gas appliances. To this end the ACT government, through the energy efficiency improvement scheme, is providing rebates of up to \$2,500 to replace gas heating and hot-water systems with more efficient electric systems.

The waste sector produces emissions through wastewater treatment and the release of landfill gas. Any organic material disposed of in landfill, such as garden waste or food waste, results in greenhouse gas emissions due to their breakdown in an oxygen-free environment. Waste emissions currently account for two per cent of the ACT's greenhouse gas inventory but, by 2020, after the removal of electricity emissions, they are expected to account for about six per cent of our total emissions. Emissions from solid waste disposal in 2017-18 were 31 per cent lower than in 2016-17. The reduction was caused by a 26 per cent increase in the volume of landfill gas captured and burnt at the Mugga Lane and Belconnen landfill gas generators. To reduce greenhouse gas emissions in the future, we will need to explore ways to divert

organic waste from landfill and to explore treatment options such as composting and anaerobic digestion.

Industry emissions in the greenhouse gas inventory entirely comprise synthetic gases used in refrigerants and are taken from the national greenhouse and energy reporting system. Emissions have increased significantly as a result of an upward revision of estimates of synthetic gas emissions in the ACT contained in the national greenhouse gas inventory. Estimated emissions from this source accounted for eight per cent of total emissions. These emissions are attributed proportionately to the ACT from an aggregate New South Wales supply and, whilst they may not truly reflect emissions from this source in the ACT, it is the most reputable estimate that can be provided.

Finally, emissions from both land use change and agriculture are small and have shown little change year on year. Through the 2017-18 period land use change constituted a net sink, essentially meaning that land clearing activities in the ACT are less than revegetation efforts.

The ACT released a “living infrastructure” information paper in early 2018 that highlighted the importance of trees, open spaces with grass, and ponds in adapting to climate change. Some living infrastructure can operate as a carbon sink, and helps the city to adapt to the extremes of climate change by providing shade or other cooling effects.

Before concluding I want to note that the ACT is a leader just through its ability to provide an inventory for the most recent financial year. The Australian government inventory, and all other state inventories, are still compiled two years in arrears. This is a testament to our commitment for accurate and timely reporting and monitoring towards our greenhouse gas emission reduction targets.

By doing this we are ensuring greater transparency and accountability in emissions reporting, and we will have a substantially better understanding of the immediate effects of our mitigation actions and progress. This latest inventory is also compiled using best practice methodology.

As we approach our interim target date of 2020, the government continues to seek out new ways to achieve our long-term goals. I will soon be releasing the ACT climate change strategy and action plan 2019-25, and the ACT living infrastructure plan. These will include new actions to continue us on our path towards zero emissions. This inventory shows we have come a long way, but we still have a long way to go. I commend the report to the Assembly.

Question resolved in the affirmative.

Aboriginal and Torres Strait Islander Elected Body 2018

MR GENTLEMAN (Brindabella—Minister for the Environment and Heritage, Minister for Planning and Land Management, Minister for Police and Emergency Services and Minister assisting the Chief Minister on Advanced Technology and Space Industries) (3.16): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Aboriginal and Torres Strait Islander Elected Body Act, pursuant to subsection 10B(3)—ACT Aboriginal and Torres Strait Islander Elected Body—Report on the outcomes of the ATSIEB Hearings 2018—Eighth Report to the ACT Government.

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) (3.16): I am pleased that the Manager of Government Business tabled today the ACT Aboriginal and Torres Strait Islander Elected Body report on the outcomes of its hearings for 2018. I welcome this report, the eighth report prepared by the elected body.

The elected body was established in 2008 under the Aboriginal and Torres Strait Islander Elected Body Act 2008 to provide Aboriginal and Torres Strait Islander people living in the ACT with a democratically elected voice. An important part of this role is the opportunity for elected body members to ask questions of officers from ACT government directorates and agencies in formal hearings. These are modelled on the estimates processes of the ACT Legislative Assembly and the commonwealth Senate.

The elected body hearings have proved to be a successful method of interaction between the government and the community. The hearings result in a body of advice that informs improvements to service delivery and policy development, leading to better outcomes for Aboriginal and Torres Strait Islander people. As the elected body chair says in the report:

What we are looking for is tangible and measurable outcomes supported by evidence-based solutions which in turn change the day-to-day lives of Aboriginal and Torres Strait Islander people for the better.

I echo the comments made by the chair that, in order to achieve better outcomes for Aboriginal and Torres Strait Islander Canberrans, it is critical that relevant programs, services, policies, and reforms be designed and implemented in genuine partnership with Aboriginal and Torres Strait Islander people and their representative bodies and organisations. The elected body public hearings are an opportunity to explore better ways to co-design and build on successful programs that are delivering tangible incomes in the community.

The report contains seven whole-of-government recommendations and 24 recommendations for specific directorates. The ACT government is considering these recommendations as it continues to demonstrate its commitment to achieving equitable outcomes and opportunities and building an empowered, resilient, and sustainable future for all Aboriginal and Torres Strait Islander people in the ACT.

The 2018-19 budget, for example, committed to more support for family group conferencing for Aboriginal and Torres Strait Islander families at risk of involvement

with child protection; funding for a dedicated Aboriginal and Torres Strait Islander arts officer to strengthen engagement with local Canberra artists; reopening Boomanulla Oval; and more culturally appropriate homes for older Aboriginal and Torres Strait Islander Canberrans.

Most recently, Winnunga Nimmityjah Aboriginal Health and Community Services started delivering health services in the Alexander Maconochie Centre in what I understand is an Australian-first partnership between corrections and an Aboriginal community controlled health service.

ACT government agencies' annual reports now have a dedicated section reporting on Aboriginal and Torres Strait Islander programs, policies, and initiatives. These sections provide the community with far greater clarity on the many ways this government is working to address and overcome disadvantage for Aboriginal and Torres Strait Islander people.

It is also important to recognise that many Aboriginal and Torres Strait Islander Canberrans are doing well and achieving as professionals, entrepreneurs, artists, tradies and leaders in their own communities and more broadly. We have a strong and resilient Aboriginal and Torres Strait Islander community.

The government is determined to build on those strengths and to work with Aboriginal and Torres Strait Islander people to pursue equitable outcomes for all. This requires a concerted and sustained effort, harnessing our resources, and for all of us to remain focused on a long-term, generational commitment that takes advantage of the considerable expertise that exists within both government and the community across the ACT.

The Office of Aboriginal and Torres Strait Islander Affairs will coordinate a whole-of-government response to the 31 recommendations in the report. The government response will be prepared and tabled in accordance with the provisions of the ACT Aboriginal and Torres Strait Islander Elected Body Act 2008.

Madam Assistant Speaker, 2019 will be a busy year in Aboriginal and Torres Strait Islander affairs. The finalisation of a new ACT Aboriginal and Torres Strait Islander agreement will build on our achievements, learning lessons from the previous agreement and seeking to address gaps in our services, policies and programs to deliver the goal of strong families and connected communities. We are also continuing to work with the commonwealth on refreshing the closing the gap agenda, in addition to the continued delivery of services to support Aboriginal and Torres Strait Islander people living in the ACT.

This year will see Canberra as the focus city for national NAIDOC Week celebrations. This year's theme, "Voice. Treaty. Truth.", will no doubt stir debate as much as last year's theme, "Because of her, we can!", stirred hearts.

The Aboriginal and Torres Strait Islander people of the ACT have a voice in the elected body. I thank each and every one of its members for their ongoing commitment to their community. I look forward to continuing the government's

positive partnership with the elected body as we seek to address the needs of Aboriginal and Torres Strait Islander Canberrans.

I commend the report to the Assembly.

Question resolved in the affirmative.

Lower Cotter catchment restoration evaluation

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) (3.22): On behalf of Mr Gentleman, pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Lower Cotter Catchment Restoration Evaluation—The Heroic and the Dammed.

Question resolved in the affirmative.

Harm minimisation and reduction

Discussion of matter of public importance

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

The importance of harm minimisation and harm reduction initiatives in the ACT.

MR PETTERSSON (Yerrabi) (3.23): What are the chances that I, as someone who never gets the MPI, finally get this one, of all of them? I have always been a strong advocate for harm minimisation measures. I will seize every opportunity to talk about them because, quite simply, they save lives.

As a city committed to restorative justice and evidence-based public policy, we should be focused on harm minimisation strategies. To act effectively we must respond to facts and develop policy that is realistic, measured and proportional to the risks at hand. Far too often debate is dominated by ideological battle lines. The essence of harm minimisation is trust. We trust the individual to make choices that are best for them. They can only do this by having all of the information right there in front of them. It is called an informed choice or, as I like to call it, common sense.

This government encouraged informed choice at Groovin the Moo last year in the form of pill testing. Pill testing does not encourage people to take drugs. People who are using drugs come to learn about the substances they are using through pill testing. They learn about the ingredients that could be in them, like paint or lead. They are

told that, even if the drug is pure, there are risks that can have negative impacts on the person and that it is dangerous. But ultimately we leave the decision to take that drug up to the individual, because we know that just saying no does not work.

The Canberra Liberals do not want people making informed choices. They think they can tell you, “Just say no,” and that you will obey. That clearly has not worked. This attitude even costs lives. Every time we send sniffer dogs to festivals and scare people into ingesting all of their drugs at once, we cause harm. Every time we refuse to test pills and we miss a batch laced with dangerous chemicals, we cause harm. Those opposite refuse to help young people because they are more concerned with moralising on drug use. They know their policies do not work. They know that the status quo does not work. But they know how they feel about people who use drugs, and that is what drives them.

Those opposite are happy to stick their heads in the sand, like their New South Wales counterparts. We are seeing their approach across the border, where music festivals are being shuttered due to the obstruction of hard-right conservatives. Make no mistake: if the Canberra Liberals get into power we will see the same thing happen here, if we have not already.

Far too often politicians put their political standing ahead of good policy. We see this all the time with our public response to hard drug use. We must not shame or condemn those who use these substances; we must help them. We put up false barriers to accessing treatments because we are too worried about being seen as kind to these people. These people deserve to be treated poorly in the eyes of many for their apparent moral failures. How wrong they are.

As a community we are responsible for deciding which substances are legal and illegal. The distinction between legal and illegal drugs is often based not on harm but on outdated prejudices and stigma. Cannabis is just one of these substances. It is 46 times less dangerous than alcohol and 90 times less dangerous than tobacco. It is so commonplace that one in three of us have used it, with one in 10 of us having used it in the past year. We criminalise this substance and throw people in jail for possessing even tiny amounts of it. It is madness. That is why I think we need to legalise cannabis.

Community sentiment has shifted, with 54 per cent of Canberrans supporting the legalisation of the personal use of cannabis. Our community does not want to lock up predominantly young people for holding the tiny bit of pot that they so often get punished for. They do not think throwing the addicted in jail is good rehab. And they do not want to support the black market and criminal gangs. The Canberra community believes that it is time we took a stand and joined the progressive parts of the world in legalising this substance.

We have seen the conservative approach to drugs around the world as well. The war on drugs in the United States, for example, has been a massive failure. With an opioid crisis gripping America, we have seen big pharmaceutical companies complicit in pushing addictive substances to patients. We have seen the human misery of the drug trade in Mexico, the major supplier of the United States black market, where

100,000 people have died in gang-related violence. We have seen in the Philippines police literally shoot drug consumers on the street for possessing drugs. Nothing these conservative approaches have ever done has ever dented the demand for these drugs. No bullets or walls can stop demand. Quite simply, only education can do that.

One of the world's leading countries in harm minimisation is Portugal, which took the brave step of decriminalising all drugs in 2001. Portugal's policy rests on three pillars: one, that there is no such thing as a soft or hard drug, only healthy and unhealthy relationships with drugs; two, that an individual's unhealthy relationship with drugs often conceals frayed relationships with loved ones, with the world around them and with themselves; and three, that the eradication of all drugs is an impossible goal. I think that is pretty accurate and I think it is something we need here in the ACT. We need to pursue policies like Portugal's. I am sick and tired of our outdated drug laws. They were often made by moralising politicians more concerned with looking tough on crime than helping people.

Drug consumers do not get better through interacting with the criminal justice system. What madness would lead someone to think that it possibly could? We need drastic changes in our drug laws. I think we should look very closely at the lessons learnt from Portugal. You cannot in any way disagree with the results of decriminalisation in Portugal. Incarceration rates dropped. Drug-related deaths dropped. HIV rates dropped. We could do a lot worse than to follow their lead. At the end of the day we need to be comfortable with our choices, whether that choice is to inform young people of the dangers of drugs, empower them to make informed choices, or quite simply throw a hissy fit and expect them to ignore it.

I cannot imagine why anyone would think young people will listen to a paternalistic government telling them what to do. If you are not willing to build a culture of trust with these young people, they are not going to listen to your advice, no matter how well intended it is.

Visitors

MADAM ASSISTANT SPEAKER: I acknowledge that we have a group of school students aged 10 to 14 years visiting us from China. I welcome them to the Assembly and hope they enjoy today's discussion.

Harm minimisation and reduction

Discussion of matter of public importance

MR RATTENBURY (Kurrajong) (3.30): The Greens welcome the debate today on this matter of public importance. We know that the law and order approach to drug use is not working and that people are dying because of this. We need to take a different approach based on evidence that prioritises keeping people safe, alive and healthy rather than punishing them.

Harm reduction is a key pillar of the national drug strategy. It is about reducing the adverse health, social and economic consequences of the use of drugs for the users, their families and the wider community. It is important to recognise that while illicit

and licit drug use, including alcohol and tobacco, can have a wide range of poor health outcomes, much of the harm related to drug and alcohol use results from the interface with the criminal justice system.

In their recent report, independent think tank Australia 21 noted that the shame, stigma and marginalisation that goes hand in hand with prohibition drug policies stops many families from speaking out or seeking help. They also noted that once people are in the criminal system, continued misuse of drugs and alcohol will, for many, lead to repeated incarceration. Cumulative trauma and institutionalisation impacts dramatically on an individual's ability to gain control over their drug use and to rebuild their lives.

The Greens believe that the problems associated with drug use are best addressed within a health and social framework and that imprisonment for the personal use of illicit drugs is an inappropriate and harmful response. That is why we have led the debate on key issues like pill testing and why we support efforts to legalise possession and use of small amounts of cannabis. These are both significant steps in a long journey of drug law reform that I hope will ultimately see personal drug use treated as a health issue rather than as a criminal issue.

We have had many debates in this place about the benefits of pill testing. The results of last year's pilot backed up what the evidence from overseas had already shown. Pill testing provides an opportunity for young people to engage with health professionals to get advice about their drug use and it can save, and has saved, lives.

Results from the 2018 Canberra pill testing trial showed that six in 10 of those who had their pills tested said that they were surprised by the results of testing. Four in 10 of those who had their pills tested said that they would change their behaviour after finding out what was really in their pills. And three in four of those who brought drugs for testing received alcohol and other drug counselling from the medical professionals on site.

As an attendee at Groovin the Moo in 2018, I was personally able to witness how the trial operated, including seeing potentially fatal substances being identified. From this experience, I know that pill testing makes festivals safer for those who attend, allowing them to have a great day and to come home safe.

On another issue, we will soon debate the question of legalising cannabis possession. I imagine that we will have quite some discussions on that topic going forward. The reality is that many people in Canberra choose to use cannabis right now, despite its illicit status. My focus, both as Minister for Mental Health and as a member of this place, is to reduce the harm that comes from cannabis use by encouraging people to seek support.

We know that people with drug and alcohol problems can wait up to 18 years before they seek treatment because we stigmatise and criminalise people who use drugs. This drives them into the shadows and away from help. Whether a person needs help for a mental health condition, an addiction or a range of other complex social issues that can be associated with drug use, we need to do more to break down stigma and

encourage people to come forward. Removing the criminal offence for possession of cannabis is part of that process.

Of course, as we break down stigma and encourage people to seek help, we will need to make sure our health and drug treatment systems are able to cope with greater demand. This is not an either or question. Alongside drug law reform to keep people out of the criminal justice system, we must also continue to invest in high quality drug and alcohol education and treatment supports.

We also need to keep having conversations with our community about drug use to alert people to the risks, give them evidence-based advice and help them to make informed decisions. To date, across Australia our approach to drug policy has been to just say no, and it is simply not working. Making drug possession illegal and trying to arrest our way out of this problem has failed and it is time for a new approach.

This requires a shift away from the disproportionate focus on law enforcement. In 2009-10, the latest figures that I have been able to find, the drug policy modelling program estimated Australian government spending on illicit drug programs to be around \$1.7 billion, with around 64 per cent spent on law enforcement, 22 per cent on treatment, 9.7 per cent on prevention and just 2.2 per cent on harm reduction.

Of course, we also need to recognise that much of the harm that comes from drug and alcohol use is a result of the misuse of legal substances. We know that tobacco continues to cause more ill health and premature death than any other drug. Alcohol-related hospital separations are higher than those related to illicit drugs.

The Australian Institute of Health and Welfare estimated that in 2011, 18,762 deaths were attributable to tobacco, 6,570 were attributable to alcohol and 1,926 were attributable to illicit drugs. Alcohol use was responsible for 5.1 per cent of the total burden of disease and injury in Australia in 2011. In comparison, illicit drug use contributed to 1.8 per cent of the total burden of disease and injury at that time.

It is important that we do not draw an arbitrary line between licit and illicit substances, because they all have the potential to cause harm. As these statistics show, often greater harm comes from those that are legally available. The concept of harm minimisation rests on the assumption that we cannot stop people from using illicit substances or from misusing licit substances. It recognises that while people continue to use drugs, some will continue to experience harm.

Our first priority should be to minimise that harm in any way we can. The Greens will always support an evidence-based approach to drug policy. We call on governments and political parties across Australia to listen to the experts and to move away from the dangerous rhetoric that is continuing to cause significant harm. It is time for a new way to think about these things in Australia. I think what we all agree on is that we want to minimise the harm that comes from drug use. The trick now is to try to have a more sensible discussion on how we make that happen.

MR HANSON (Murrumbidgee) (3.38): I start where Mr Rattenbury left off. Yes, I think that minimising the harm to people through the effects of illicit drugs is the

intent. But it is clear that there are a very different set of approaches that are being considered here that have been proposed by the Greens and the Labor Party as opposed to Liberal Party.

I turn to some of the rhetoric that we heard from Mr Pettersson about people moralising and trying to create a bit of a wedge issue. I just make the point that the Canberra Liberals' position on cannabis is the same as was the Labor Party's position until a matter of weeks ago. Our position on pill testing is the same position that the Labor Party had up until 12 months ago.

As we have heard from the health minister, and we have heard intimated by others, the suggestion that somehow what the Canberra Liberals are proposing is akin to what happens in the Philippines is playing fast and loose, is creating fearmongering, is creating the very scare campaign that we are being accused of. I think that if we are going to have a sensible debate about drug use and about how we can keep people safe, we need to make sure that we do not hear that ridiculous nonsense sort of rhetoric coming from the other side.

The reality is that any effective drug strategy needs to address three elements: supply, demand and harm minimisation. If you play with one of those, if you affect one of those, then you have the potential to affect the other two. If you go after demand, what does that do potentially to harm minimisation and so on? You have to consider the consequence of the approach that you are taking.

I do not support Mr Rattenbury's and the Greens' agenda to legalise drugs. I was just looking at the ABS statistics. The highest death rate from drugs in Australia is now from prescription drugs. He talked about the harm from alcohol, cigarettes and tobacco; that the genie is out of the bottle. Do we want to take the genie out of the bottle on a range of these drugs when the evidence shows that simply legalising them does not reduce the harm and the death rates when you consider that it is prescription drugs now that are causing so much of the harm?

I think we have to be careful when we are sending this message—be it a scare campaign against what might be happening or otherwise—that illicit drugs are fun and safe and that we should all be taking them. I refer to something that should give us caution. It is from Mr Rattenbury's Facebook page. He has a poster saying, "Welcome to the party! Just legalise it," and a picture of marijuana.

I think when you have a Greens logo saying, "Welcome to the party," is that meaning that smoking drugs is all a big party? Or is that an attempt to get people who use drugs to be attracted to the Greens party because of their liberalised drug policy? I think we have to be very careful, as Mr Pettersson was warning and was creating a fear campaign to an extent, that the policies that we adopt are based on harm minimisation, not on vote maximisation. I seek leave to table that snapshot of the poster from Mr Rattenbury's Facebook page.

Leave granted.

MR HANSON: I table the following paper:

Welcome to the party! Just legalise it, prepared by The Greens.

I ask the question: when it comes to things like harm minimisation—take the issue of cannabis—what is the greater harm? Is it a fine that someone might get as part of the deterrence to try to reduce demand for the consumption of cannabis or is it schizophrenia? That is sadly the case. I think there is much evidence out there from the experts. I quote from the Australian Institute of Health and Welfare:

Ongoing and regular use of cannabis is associated with a number of negative long-term effects. Regular users of cannabis can become dependent and commonly reported symptoms of withdrawal include anxiety, sleep difficulties, appetite disturbance and depression

The 2016 national drugs strategy household survey found a significant increase in the proportion of past month and past 12-month cannabis users that reported mental illness and “high to very high levels of psychological distress.” The AMA found that cannabis can cause a fivefold increase in users developing psychosis and that maternal and paternal use can lead to similar risks for unborn children.

A recent study by Duke Health in the US found that THC can alter the genetic structure of a user’s sperm. That is why in its position statement on cannabis use, the AMA supports the current approach and states that the personal recreational use of cannabis should be prohibited. Psychosis does not sound much like a party to me. That is what Mr Rattenbury is pushing out there.

There is significant evidence and serious academic research online. I will seek leave in a moment to table a piece of academic research from a decade ago, from *World psychiatry*, the official journal of the World Psychiatric Association. I refer to an academic paper titled “Cannabis use and the risk of developing a psychotic disorder.”

I do not have time to go through it in detail now but I will table it because it refers to numerous other studies, one study including over 50,000 people as a longitudinal study and the results from that. When people out there say, “There is no link between cannabis and mental illness,” that is not true. There is evidence. There is longstanding researched evidence that there is a causal link. I seek leave to table that research.

Leave granted.

MR HANSON: I table the following paper:

Cannabis use and the risk of developing a psychotic disorder—Copy of article from *World Psychiatry*—Official Journal of the World Psychiatric Association.

I will move to the issue of pill testing. Some statistics were provided on what happened at the trial in Canberra. One figure that struck me was that when people had their pill tested and it showed that it was pure, they kept that tablet. Often the tablets that people discarded were those that did not have drugs in them or did not have many drugs in them. But when they found, “Yes, it has a high quantity of MDMA,” up to 97 per cent of people went away and took that tablet.

The problem with that is that people are then going away and taking potentially a high quantity of drugs and that it is the MDMA that is killing people in many cases. I refer back to Anna Woods, the 15-year-old who died about 20 years ago. That is why her father is opposed to pill testing. Even if your pill is tested, we see that 97 per cent of people are off taking those pills with a high purity of MDMA, and it is killing them.

As Andrew Leibie, the toxicologist said, statements by politicians that pill testing would help “keep people safe” were potentially misleading and that pill testing “is based on the false assumption that if you do know what you are taking, it is safe—something that is absolutely untrue. MDMA is not a safe drug.”

The state Health Commander of Ambulance Victoria said about drug testing, “It is a poison. You can test a poison all you like; it remains a poison.” One of Australia’s leading toxicologists, Dr John Lewis, has said, “It will not work and it is fraught with dangers.” The *Internal Medicine Journal* said in November 2016, “Pill testing at best gave an artificial ‘shine of safety’”.

The problem is that when you have pill testing with 97 per cent of people taking high purity pills, and the government and police sanctioning this, you send a very dangerous message. Indeed, after Groovin the Moo in Canberra the ABC went to Bendigo and spoke to some young people at the Bendigo festival. What did these young people say? I will quote what they said: “The fact that they can test it and make sure that you are going to be safe is definitely a good thing.”

Another festival goer said, “It could make you want to take more drugs. It would definitely give you peace of mind.” And that is the problem. Pill testing is out there giving young people peace of mind, in their own words. They are saying that it will make you want to take more drugs. In their words, they are saying that it is safe and that that is a good thing, when it is not, because what we know is that 97 per cent of people at Groovin the Moo with high purity drugs took them anyway. What we know is that MDMA in many cases is what has been killing young people, not what it has been mixed with.

We have looked at the evidence. We have listened to the experts. We have looked at the advice. We have looked at the research. We have done our homework. Let us make sure when we move forward that people are not out there trying to take advantage of a situation when we want to keep people safe and are not using this as some sort of quasi-political campaign to attract people by saying, “Let’s join the party.”

MS CODY (Murrumbidgee) (3.48): I would like to thank Mr Pettersson for bringing this MPI forward and for his work as a champion of harm minimisation. Whilst Mr Pettersson’s current proposal for drug law reform is getting headlines across Australia and the world, and his growing legion of fans are producing the dankest memes, it is important that other areas of harm minimisation are highlighted in this debate.

Today I would like to highlight the importance of harm minimisation in health policy, especially sexual health. Today, being Valentine's Day, is the most important day of the year to be discussing the importance of harm minimisation for sexual health. It is also one of the most pleasurable days to be speaking about sexual health, as it is National Condom Day, a day when it is encouraged that everyone should be able to buy condoms as freely as they would buy a rose.

This year's theme is "consent is hot". SHFPACT have done up special condom packs for that. Madam Assistant Speaker, I seek leave to table a document.

Leave granted.

MS CODY: Thank you. I present the following object:

National Condom Day 2019—Box.

Whilst I have previously avoided discussing what I think is sexy in this chamber, today is the day that changes.

Members interjecting—

MADAM ASSISTANT SPEAKER: Members, please! Members, a little bit of quiet so Ms Cody can finish.

MS CODY: Consent is sexy. Safe sex is sexy. Condoms and dams, used correctly, are sexy. Being comfortable and open about sexuality is sexy. What is not sexy is prudishness. What is not sexy is the use of fear of the unknown in an attempt to prevent people expressing their sexuality and therefore exposing them to risk. A "just say no" approach to sexual education often leads to unwanted pregnancy and sexually transmitted infections. What is not sexy is harassment, coercion or rape.

In the past year this chamber has faced some complex debates about the law of consent. I would not want to disrespect the important contributions of Ms Le Couteur or anyone else, but this afternoon I will focus on consent between the sheets rather than in the courtroom.

This morning I was reviewing some excellent material from Sexual Health and Family Planning ACT which identified five points as part of their national condom campaign. Point 1 says that consent should always be explicit. That means asking to bonk somebody, not just rubbing your hand up their spine, expecting it. Point 2 says that you can always change your mind. That means that if you want it out, it is out. Point 3 says that it is good to check in with each other. It is not just condoms and skills that make sex better; it is cooperation. Good sex is a team sport. Point 4 says that it is okay to slow things down or stop. It does not matter how excited your bed buddy is, you have the right to slow things down, take a break or stop. Point 5 says that drink and drugs affect consent. If people are drunk or wasted on drugs, they are not able to consent. They also might be a bit of a bum shag. Consent is hot, and safe sex keeps it that way.

Harm minimisation does not stop at prevention. The ACT government takes harm minimisation much further for those who have gone too far and caught something. HIV counselling and support services are provided via the AIDS Action Council of the ACT and Capital Health Network. Our nurse-led walk-in centres provide free chlamydia testing. Hepatitis ACT provides resources to minimise the impact of hepatitis C and B in our community. SHFPACT provide testing, treatment, contraceptive advice and free condoms as well as education programs for those living with a disability. They also provide free STI tests for concession card holders, youth and students.

In the last financial year the ACT government funded the distribution of nearly 22,000 condoms. That is an awful lot of condoms that were used in a harm minimisation way to help protect against sexually transmitted infections, HIV and unwanted and unplanned pregnancies.

Not every child is raised in a household where sexuality and sexual health are discussed openly and honestly. I am proud to support a government and health minister who step up where prudish parents fail. The principles of harm minimisation say that that is the right thing to do. We need to keep getting the message out.

The ACT government does that through its support of a range of sexual health and education programs, but we can also do it here by taking leadership and saying no to prudishness, giving a message that you should put it on before you get it on, a message that should cover all members.

Safe, consensual sex is a great thing that I hope everyone in Canberra gets to enjoy. May your action always be protected and your union have no scabs.

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) (3.55): I thank Mr Pettersson for bringing the issue of harm minimisation before the Assembly today. Harm minimisation and harm reduction are important matters which at their core represent this government's focus on helping people; in particular, vulnerable people.

Whenever we consider a new policy, a new system or a new law, the tangible impact on people's lives must be considered in focus. A commitment to harm minimisation means that in my role as Attorney-General I am singularly focused on making sure that our legal system supports rehabilitation and the restoration of the losses to people, families and our community that come from addiction. If there is a way that our laws and our systems in government can reduce harm, we must and we will pursue it. Our approach to the laws around drug, alcohol and gambling harm shows that we are getting right down to business.

It is clear that there is no one simple answer to the problem that we face from the harm that comes from drug and alcohol use. However, we can say definitively—and this government accepts—that a prohibitionist policy has not worked, does not work and will not work.

Criminal laws hold people responsible for their wrongdoing. Charging and convicting a person of a crime is one of the most stern and concrete ways that our community will express its disapproval of that person's behaviour. The criminal justice system certainly plays an important role in upholding our values and addressing the wrongs that are committed against the victims of crime. But expressing our values is not all that we seek to achieve in criminal justice, and this government is firmly committed to a justice system that is restorative and rehabilitative.

When it comes to people who face the courts primarily as a result of addiction, it is important to focus on the evidence that we have about their behaviour. The evidence is overwhelming that treating addiction as an issue of right and wrong is not only ineffective, but simply does not stack up with what we know about the biology and the psychology of drug use.

The ACT government is working hard to ensure that our policies reflect the latest and the strongest evidence. Other members here today have spoken about the evidence-based approach to drug and alcohol abuse, and to sexual health. That same commitment to turning evidence into action is part of my approach with the courts.

The evidence is strong that if we provide the right support services to people with drug and alcohol problems at the right point in their contact with the judicial system, we can address these dependencies and in turn we can build more resilient people, families and communities. That is why this government has made the establishment of the drug and alcohol court one of its top priorities. This is an example of therapeutic justice, which prioritises the treatment of the causes of crime and the prevention of recidivism.

The Minister for Health and Wellbeing and I had the privilege of joining Judge Roger Dive in the Parramatta Drug Court last month to witness firsthand what a harm minimisation focus is able to achieve. We saw that, through building relationships and surrounding vulnerable people with support, new beginnings are possible and the root causes of offending can be addressed. I would like to place on record our appreciation to Judge Dive and to all of the officers and the people involved at Parramatta for their generosity to us on that day.

Here in the ACT, the development of a drug and alcohol court has been focused on relationships. Corrective Services, the Director of Public Prosecutions, Legal Aid ACT and ACT Policing will all have a role to play. I would like to make particular mention of Chief Justice Murrell and Justice Burns for their strong support in the process.

Also in my portfolio, harm minimisation is extended to more than just laws about crime. This government has taken action to ensure that our laws help minimise gambling harm and to support the responsible consumption of alcohol. For example, changes to licensing fees for liquor sales in 2017 are funding the development of a new campaign to support responsible drinking.

Consistently over this term, we have worked with the community and with clubs to implement a more robust gambling harm prevention set of rules. That has included boosting funding for the problem gambling assistance fund to 0.75 per cent of gross gaming machine revenue. In line with the Gambling and Racing Commission's adoption of a public health approach to harm minimisation, that fund will soon be renamed the gambling harm prevention and mitigation fund. Over this term, we have restricted cash withdrawals from EFTPOS machines at clubs. And after a series of round tables with experts, with club industry representatives and with voices from across the community, we are redrafting our gambling code of practice to provide even stronger protection.

Across our laws and across our services, this government has, time and again, demonstrated its commitment to preventing and minimising harm. Our approach to drugs, to alcohol and to other sources of harm will always focus on evidence rather than ideology. And evidence about how we can make life better for individuals, families, friends and our whole community will continue to guide our actions. We approached this term determined to ensure that people, especially the most vulnerable people in our community, get the support they need. We have delivered, and we will keep delivering on our commitment to make Canberra safer, stronger, and more connected. Again, I thank Mr Pettersson for bringing this important matter to the Assembly today.

MR RATTENBURY (Kurrajong): I seek leave under standing order 46 to make a personal explanation.

MADAM ASSISTANT SPEAKER (Ms Cody): Do you claim to have been misrepresented?

MR RATTENBURY: Yes.

MADAM ASSISTANT SPEAKER: Please proceed.

MR RATTENBURY: During the matter of public importance, Mr Hanson produced a graphic from my Facebook page. He subsequently tabled it in this place and he proffered a number of interpretations of the words in it. I want to assure Mr Hanson, and all members of the Assembly, that none of the interpretations Mr Hanson suggested is, in fact, the intent of the said Facebook square. It is actually reflective of the change in the Labor Party's position, which Mr Hanson himself identified in his remarks.

In both 2004 and 2014, the Greens brought forward legislation in a similar vein to Mr Pettersson's and—

Members interjecting—

MR RATTENBURY: This is an explanation. Just bear with me.

MADAM ASSISTANT SPEAKER: I believe Mr Rattenbury is getting to the point.

MR RATTENBURY: In 2004 and 2014 the Greens brought forward legislation which the Labor Party did not support. They have now changed their position. There is a well-known expression “Welcome to the party,” which is “Thanks for getting on board with the same position.”

Mr Hanson interjecting—

MR RATTENBURY: Your serial rudeness does you no service, Mr Hanson. I always have hope that Mr Hanson will become a decent person one day, but I continue to be disappointed.

Discussion concluded.

Administration and Procedure—Standing Committee Proposed reference

Debate resumed.

MRS DUNNE (Ginninderra) (4.04): I wanted to speak to Ms Lee’s very important motion today because I have noticed a change in attitude over my time here to members of the Legislative Assembly’s access to government schools. But, before I do, I just cannot go past some of the comments made by Minister Berry this morning. The one that really stood out to me reminded me of—I think probably most of us are too young to remember—an absolutely unbelievably excruciating train wreck of an interview between Joh Bjelke-Petersen and Richard Carleton where Richard Carleton asked Mr Bjelke-Petersen over and over again, “Mr Premier, what do you understand by separation of powers?” I do not think even in his wildest flight of fancy even Joh Bjelke-Petersen would have thought the issue of keeping duly elected members of parliament out of government-funded schools was an issue of separation of powers.

I think today we have seen a member of parliament describe her own ignorance in relation to the issue of separation of powers. This woman is a minister responsible for the education of people in the ACT and she ended up saying that members of parliament could not go to government schools because it was an issue of separation of power. Ms Berry needs to apologise to the people who have actually died or fought for the maintenance of the separation of powers and parliamentary justice across the world because she has just let them down, as she has let down the people of the ACT by her policies and approaches to letting members of this parliament have access to schools.

I have been around here for a long time. I was the shadow minister for education for a brief time but I also worked with members across the board in relation to educational matters. For instance, when Mr Doszpot was the shadow minister for education, successive ministers for education were courteous enough to let him and other members of the opposition visit schools, at appropriate times when the matter was organised appropriately with the school, with an official from the minister’s office or from the directorate.

There have been occasions when I have discussed this with colleagues recently. Last year I did not have an opportunity to attend a couple of the prize-givings by schools in my electorate—ones where I have routinely for 16 years been invited to attend and to give out prizes. But last year the opportunity to give out prizes was not available to members. That means that there was a change of policy in this place. It must go to the minister's office. Suddenly this invite by schools who had been routinely inviting members of parliament of all stripes—federal and ACT, Greens, Labor, Liberal who were all given opportunities to hand out prizes—has gone.

There is something going on, and it seems to me that Minister Berry wants to close up schools from scrutiny. And the straw man that she drew up today about this being an act of selfishness by Ms Lee demanding unfettered access to ACT schools is absolutely risible. If Minister Berry even had the courtesy to listen for a couple of minutes to what Ms Lee said, it would be clear that she was not asking for unfettered access; she was asking for polite and reasonable access because this is being denied to her and to other members of this Assembly in what is supposed to be an open and democratic society.

I commend Ms Lee for bringing the motion, for the measured tone in which she brought the motion, and I condemn Ms Berry for her overreach and her highhandedness in response to this motion and overall her highhandedness in response to the reasonable request for access to government schools.

MS LEE (Kurrajong) (4.09): I thank Mrs Dunne and Minister Rattenbury for their support today in my quest to get a clearer, more equitable, efficient and more transparent process for MLA school visits. Mr Rattenbury, as former education minister, and Mrs Dunne, as former shadow education minister, will be well aware of the importance of school visits. And I am sure they also know how much MLAs and others appreciate and respect the opportunity to be invited to a school.

As for Minister Berry's contribution, where do I start? Clearly her approach was to take this genuine Assembly business debate and turn it into a personal attack on me, my intelligence and my integrity, that I apparently have no idea what schools are for. Of course I know what schools are for and what their role and value are to our community. The real concern is whether the minister knows. Her desperate need for control demonstrates she is clearly unwilling to show us.

Who has made it all about the other MLAs than her just now? What fantasy, to suggest all 25 MLAs—and that includes the Chief Minister, so I assume that she has put him on notice too—would storm any single school at any hour of the day, unannounced, and start interrogating staff and students! Where does she get this stuff from? If she wants to talk about legal issues—let us say that I do not know about her—I have more respect for everyone sitting in this chamber that they would and could not fathom doing anything like the made-up, hypothetical, alarming situations that she speaks of.

Her amendment is just another complete rewrite, as is the usual practice, replacing every single paragraph outlining the issues with a self-serving pat on the back. She

ignores the fact that, whether she likes it or not, there are some concerns and some confusion about the existence of these protocols, whether they are widely publicly available, whether they are appropriate and whether they inadvertently may cause confusion, risking MLAs not being able to carry out their duties properly or, worse, to inadvertently breach the code of conduct.

Anyone would think that she is the first education minister to have ever had the portfolio. As I said in my earlier speech, I am aware of previous ministers who are far more gracious, far more considerate of the role of an MLA, and who value the role of local members and their need to accept community invitations at schools. The minister's contribution does nothing more than demonstrate her ever-increasing level of incompetence in handling the education portfolio. It is clearly beyond her. She is out of her depth; so she resorts to personal innuendo and attack. Of course it is becoming a feature of some other MLAs on that side as well.

Clearly and as usual, the minister—

Members interjecting—

Mr Hanson: Madam Deputy Speaker, on a point of order, I cannot hear Ms Lee's speech because of the interjections from those opposite, and I would ask you to remind them of standing orders with regard to interjecting.

MADAM DEPUTY SPEAKER: Thank you, Mr Hanson, but I will remind members—

Mr Hanson interjecting—

MADAM DEPUTY SPEAKER: Mr Hanson, you just took a point of order about being unruly. I will remind members that constant interjection is unruly, and it is very difficult to hear Ms Lee. Not everybody's voice travels as far as Mr Hanson's or Mr Barr's.

MS LEE: Clearly, and as usual, the minister did not read the motion and did not listen to what I said. She gets up with her prepared scripts, and sometimes I have to wonder whether she actually understands what she is reading.

Where I have put a genuine call for the Assembly's tri-partisan committee to review the existing protocols, talked about how valuable visits to our schools are and thanked her for facilitating the visits that I have had the opportunity to have, she responds with made-up, hysterical diatribe, personal attacks and some ridiculous notion that allowing an MLA to visit a school will lead to a breakdown of the separation of powers.

In fact, it was in part a consequence of the appalling disrespect shown to the Speaker by the minister. It was also as a consequence of schools being left in the dark at a very busy time of the year, waiting to find out the minister's decision on attending, not attending or sending somebody else. It is extremely rude and lacks common courtesy to not advise.

It is surely more than a mere coincidence, then, that on Monday afternoon, just a short time after this motion was discussed at the admin and procedure committee, an email came around from Minister Berry reminding us all that we must not trespass on school grounds. Apparently one of the first tasks that the minister did when taking up the portfolio, along with sorting out school violence, safe places, overcrowding, any other issues that we have subsequently brought to the attention of the Assembly, was to ask her directorate to refresh the existing protocol for public school visits. And apparently the protocol is publicly available. It is not so publicly available, however, that all schools are aware of it. And the Speaker was also apparently unfamiliar with it.

The minister's email is in part superfluous and in other parts patronising in the extreme. It assumes that schools and school leaders do not know how to manage visitors or that visitors and MLAs do not understand that a school is managing circumstances which may make a visit inappropriate. She goes on to say that she has agreed, at points in time, for MLAs of all parties to participate in additional activities in government schools. How very generous!

I note the email concludes with a comment that the minister is happy to discuss this further during this debate but, as we have just seen, her contributions to this debate have been defensive, full of personal attacks and ridiculous fantasies which show a complete lack of respect to our school leaders and all MLAs in this chamber including the Speaker.

I brought on this matter for discussion because I think it is important that school communities have access to all the elected MLAs in this chamber and not just those that the minister or her office deem to be suitable. It is equally important that MLAs have some access to government schools. I know how valuable my visits have been. And in case she still does not get it, I will repeat: I am not in any way advocating, lobbying for or asking for a free-for-all where MLAs can pop into government schools whenever they please. But just as Minister Berry goes to great pains to say she apparently has faith in the teaching staff and school leaders, she should also extend that faith to managing a simple visit from an MLA.

I brought this motion to the Assembly for discussion because I would not want to see further embarrassment to MLAs in this place or difficulties and confusion for schools who have invited MLAs in good faith to attend an award ceremony or any other event, only to be put in this awkward position to either admit they were not aware of the protocols or—and I note she has denied this but it has been reported—of having to uninvite an MLA.

I cannot begin to understand what the minister is so terrified about in not allowing MLAs to accept invitations to schools that schools have clearly thought about before they extended them. Is she terrified that schools might actually appreciate the interest, understanding and acknowledgement shown by MLAs?

I welcome the amendment by Mr Rattenbury. The Canberra Liberals will be supporting it.

Mr Rattenbury's amendment to **Ms Berry's** proposed amendment agreed to.

Ms Berry's amendment, as amended, agreed to.

Original question, as amended, resolved in the affirmative.

Personal explanation

MS BERRY (Ginninderra—Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women) (4.17): I seek leave to make a personal explanation under standing order 46.

MADAM DEPUTY SPEAKER: Leave is granted.

MS BERRY: In my speech this morning on the debate around visits to schools I said very clearly that my office and I have never instructed the directorate to uninvite members of this place to visit schools and that information that was provided in the *Canberra Times* article was incorrect. Ms Lee has ignored the statement I made this morning and has again implied that I uninvite members from schools. That is not the case at all.

Madam Deputy Speaker, my office has not had contact from you on visits to schools to give out prizes. If that had been the case I am sure they would have been able to go ahead. I was checking before I came down here, but I have not seen any requests from you to visit schools to give out prizes. I do not think that would have been an issue under the protocols that have been around since before I was the minister.

Future of education implementation plan Ministerial statement

Debate resumed.

MS LEE (Kurrajong) (4.19): I welcome the minister's commitment to reporting back to the Assembly as required by motions debated and passed last year. To refresh the Assembly's memory, the motions that prompted this statement today were both brought on for debate by the Canberra Liberals. As is the government's usual practice, both motions were amended to avoid any acknowledgement of failings and any real commitment to delivery other than what we see today, that is, to report back to the Assembly. Well, this statement ticks that box; yes, the minister has reported back.

The first motion by me was a lengthy itemisation of evidence that our schools are failing our students. It was a call for the government to acknowledge those failings in ACT schools and commit to change to improve academic standards. But of course the amended motion made no acknowledgement of the fact that the minister had entirely misrepresented the comments of her own commissioned research from Professor Lamb, and he was forced to correct her publicly. She made no acknowledgement that

Professor McIntosh had called out the failings in ACT schools and that serious work needed to be done to better understand what is going wrong in our teaching. The minister completely ignored the evidence from the Auditor-General about the failings in our academic standards. It was just another, “Aren’t we great”, and “We’ll come back in February to remind you how great we are”.

There are many quotes about learning from failure but, equally, if you never admit your mistakes you never learn from them. I cannot help but think that this is where the minister sits. The rhetoric in this paper is all well and good. We hear not for the first time and not as any original thought from the minister as the author that we need to place students at the centre of their learning and we need to empower teachers to meet the learning needs of all students. And down the line we go to the standard dot points and the same buzzwords of equity and strong communities.

I have said before and I say again, no-one will argue with the wording and the rhetoric behind these words. But the minister cannot continue to come into this place with speeches and statements prepared for her that provide no hard evidence of improvement in educational outcomes. She said more evidence confirmed that the government is on the right track. Well, minister, I challenge you to read *Hansard* of only this week and listen to the litany of failings in your ability to know what is going on in our schools and your inability to protect and keep our children safe in our schools. Is that the right track you refer to?

Ms Berry: A point of order. Madam Deputy Speaker, standing orders require that comments in this place are to be directed to you and not to me or any other member on the floor.

MADAM DEPUTY SPEAKER: I had not noticed that Ms Lee was not talking to me, but I remind members to direct their comments to the chair.

MS LEE: Thank you, Madam Deputy Speaker. Is that the right track the minister is referring to? Is that the strong community we are building here? We know there are changing demographics in ACT schools. We have a rapidly growing population, and this is evidenced by the significant number of schools that are at capacity. But that is almost the only clear assessment we have of school composition.

We have gifted and talented classes, but the information is not collected centrally so we do not know where those classes are. How do we know where the demand for more or less of them might be? How do we know which schools have students both years ahead of their peers and those years behind their peers if data about students in gifted and talented classes is not kept? Equally, students with complex needs and challenging behaviours are also not identified centrally if they do not also have a disability that triggers an NDIS or individual learning plan.

If the minister is serious about meeting the learning needs of all students surely that must include our talented students as well as our students who are struggling. The minister’s approach and belief is that the only relevant factor in a child’s learning pathway is where that child lives. Where you live is the only assessment the minister believes is valid and the only thing that matters. We hear somewhere in the statement

that a robust implementation plan is forming. We are more than half way through the term so she would do well to hurry up if she seriously wants families to see the benefits of those plans.

I doubt that, with a workforce of 5,000 teachers and teaching assistants and an enrolment of 48,000 students in 88 government schools, the engagement of four skilled teachers with expertise in pedagogy, learning difficulties and literacy and numeracy programming will make a huge difference, just as pocket coaching programs for school leaders is only a small, slow pathway to improvement.

I note the reference to improving the capability of teachers to use data to inform the learning needs of individual children. If that is at least an acknowledgement that concerns about NAPLAN are in part due to a lack of support for schools to understand and interpret the data that standardised tests like NAPLAN provide, then I look forward to seeing how that increased knowledge will assist schools in addressing the individual needs of students who are struggling.

We then come to the second of the motions to which this statement responds, that of the lack of language pathways. Again it is not a response; it is just another “Watch this space. We have a plan to scope a review of languages that will lead to an action plan.”

I remind the minister that the amended motion which passed the Assembly last year specifically called on her to develop an action plan to encourage, improve and support language education in Canberra schools as part of implementing the future of education strategy. That was to be brought back for report in February. The motion did not call for a plan to have an action plan. In the meantime students in the current system trying to work out language pathways from primary through to high school or even college will have given up.

I welcome the acknowledgement that recruitment and retention of specialist language teachers is a challenge. It was after all a point I highlighted in my motion. It is more than timely that the minister’s review will look at language pathways because, after all, she has published a policy on her directorate’s website that claims one exists when we know that it does not. At best, it is a pathway that is currently full of cracks and dead ends.

Just to be clear, in the event that the minister tries at any stage to repeat her made up allegation that the Canberra Liberals were proposing to deliver 40 languages across all preschool to year 12 programs, I draw her attention to my motion which called for an audit of current languages. Her mention of empty promises in that context more accurately relates to what she claims is being done under the current ACT education system under her leadership. We know it is not, as do parents of students wanting to pursue a serious study of language who have spoken to us of this serious failure in program delivery.

I note the reference yet again to universal free early childhood education for three-year-olds. When this was first raised I sought a briefing. Frankly it was a complete waste of time. The minister had no detail to offer and admitted that it was an

aspirational goal. So I can only continue to consider this to be a thought bubble. Given that her government cannot even provide spaces for the four-year-olds who want a place in preschool the minister is being deluded at best.

I am not sure that the environment directorate should not be seriously concerned that the minister has wasted so many sheets of paper to tell us nothing. Yes, it meets the Assembly's requirement to report back to the Assembly. Does it tell us anything new? No, it does not. I hope Mr Rattenbury is also as disappointed as I am. Does it provide an increased level of confidence in the competency of this minister? It does not do that either.

Question resolved in the affirmative.

Planning and Urban Renewal—Standing Committee Statement by chair

MS LE COUTEUR (Murrumbidgee) (4.27): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Planning and Urban Renewal relating to statutory appointments in accordance with continuing resolution 5A. I inform the Assembly that during the period 1 July 2018 to 31 December 2018 the standing committee considered no statutory appointments.

Consumer Protection Legislation Amendment Bill 2018

Debate resumed from 29 November 2018, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

MR HANSON (Murrumbidgee) (4.29): The Canberra Liberals will support this bill, but I will make some comments on its provisions. The bill makes amendments to the Eggs (Labelling and Sale) legislation and the Fair Trading (Fuel Prices) Act. I will address each individually.

The egg-labelling amendments change the current definitions of terms such as free range to make ACT labelling consistent with the commonwealth government's new Australian Consumer Law (Free Range Egg Labelling) Information Standard. However, there seems to be a dispute here between what the ACT minister, Mr Rattenbury, would like to see on the labels and what the new commonwealth standard requires to be shown.

Specifically, the new standard for free range requires a maximum of 10,000 hens per hectare. The minister's view is that free range should only be a maximum of 1,500 hens per hectare. What this has resulted in is that the bill will require that ACT egg labels state, "These are free-range eggs but the ACT government supports a free-range stocking density of 1,500 hens or fewer per hectare." This label must appear regardless of how many chickens there actually were per hectare or what the national standard actually is.

The explanatory statement claims that this will give context for consumers to allow them to make a comparison between the stocking density listed on the carton and the ACT government's preferred maximum stocking density. I think it could equally cause confusion, to be frank, or give a false impression.

What is clear, though, is that the Greens member of the government is being forced to comply to a large extent with the national standard and is pretty cranky about it. All retailers will now have to share and promote this information in the ACT when there is an endeavour to have a national standard. We will not be opposing this today but I do not think that it is necessarily helpful.

The other substantive amendments relate to fuel and the signs that are at the front of service stations. They prevent retailers from displaying a conditional discount on the fuel price board. This amendment I think has more legitimacy, to be frank, than the previous one.

Under the bill, the fuel price board at the petrol station must display the actual price of the fuel as it is being sold at the pump, not as it includes any discounts that may or may not apply to the customer as they approach the station. I filled my car up this morning and was not sure whether I had any Woollies points on my card, so I did not know what price of fuel I would be paying, whether it was the 141c or the 145c per litre, regardless of what was on the board.

The bill also requires that, as the fuel prices change, the changes must be applied to the pumps and the fuel price board in a prescribed order to ensure that the price at the pump is always the same as or lower than the price on the board. As fuel prices are becoming a growing area of concern for Canberrans, laws that promote frank, direct and, most importantly, consistent information on petrol pricing are a worthwhile step forward in helping Canberrans get the best possible deal.

Noting all of the above comments, we will not be opposing this bill.

MS CHEYNE (Ginninderra) (4.33): Many of us are trying our very best to make more informed decisions when it comes to purchasing groceries at the supermarket. We care about what we place in our baskets and our trolleys and we care about the food that ends up on our plates.

If there is one scenario where consumers will often go the extra mile to understand where their produce has come from and how it has been produced, it is in the selection of eggs. Walk down any aisle and you will see various labels on egg cartons, including caged eggs and free-range eggs. But these labels do not quite paint the full picture.

The introduction in April last year of the mandatory Australian Consumer Law (Free Range Egg Labelling) Information Standard 2018 meant that a carton of eggs could be labelled free range if it was produced by hens subject to a maximum stocking density of 10,000 birds per hectare. We do not think that is good enough. The ACT government has long supported a maximum standard of 1,500 hens per hectare.

That is a big difference from 10,000. As you can see, when it comes to animal welfare, we have much higher standards.

Unfortunately, we need to be consistent with the federal legislation and ensure our labelling laws are consistent with the new mandatory commonwealth standard. Although we are unhappy with this federal change, we want to make it clear that our standards are much higher.

Of course I am supporting this bill today. This bill includes an extra provision that paves the way for new signage to better inform Canberra shoppers weighing up their choices.

Under these changes, all retailers selling free-range eggs across Canberra will be required to display a sign that clearly states that the ACT government supports a maximum stocking density of 1,500 hens per hectare. The bill also amends the eggs act to mirror the commonwealth information standard requirement of clearly displaying the stocking density of free-range eggs on packaging. This means that shoppers will be able to easily compare the stocking density that is listed on a carton of eggs with the ACT government's preferred stocking density limit. These are simple changes, but ones that will make it easier for consumers to make an informed decision in line with their own ethical values.

This government is a long-time advocate of more humane stocking densities. We are not the only ones. The CSIRO, CHOICE, and the RSPCA are just a few of the organisations that support a standard of no more than 1,500 hens per hectare when it comes to the production of free-range eggs. Many of my constituents share the same standards. My office has received countless emails from residents concerned about the federal changes to egg labelling, Canberrans who care deeply about the welfare of the hens laying our eggs. Although we would prefer much stricter conditions for the labelling of eggs as free range, we are doing what we can within the federal limitations to uphold our commitment here to animal welfare.

This is a government that cares about the treatment of hens and cares about the consumers who are trying to do the right thing at the checkout and at the dinner table. The Consumer Protection Legislation Amendment Bill 2018 will go some way to improving the information available to consumers purchasing eggs throughout Canberra. I 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) (4.37), in reply: ACT consumers deserve accurate and clear information to help them make informed decisions when purchasing everyday staple goods.

The Consumer Protection Legislation Amendment Bill was developed in response to our concern that overlapping regulation of free-range eggs and gaps in the regulation of fuel price boards are confusing ACT consumers and are barriers to their making informed decisions when purchasing these items.

Eggs and fuel are common, regular items on the shopping lists of many Canberra households. Repeated purchases of these everyday staples add up to significant costs over time. Our community deserve to know what they are paying for when they go to their local retailer to buy these things.

The bill's provisions relating to fuel price boards will give Canberra drivers confidence that the fuel price advertised outside a service station is the price they will pay at the bowser. By requiring service stations to display the full retail price of fuel on fuel price boards, it means that motorists can no longer be lured into service stations by the display of discounted prices they may not be able to cash in on. Service stations will still be able to advertise discount offers like getting 4c off per litre with a grocery receipt. However, they will not be allowed to display the resulting discounted fuel price on fuel price boards. This means that the board must show the price payable by all consumers before any discount is applied.

I also draw the Assembly's attention to the bill's other improvement for ACT motorists: banning service stations from displaying a lower price on a fuel price board than the price displayed at the corresponding pump. This means that Canberra drivers should never pay more at the pump than the price advertised on the board.

The bill is a win for Canberra households but it has also been drafted with the needs of owners and operators of our service stations in mind. To comply with the bill's changes, select service stations may require new fuel price board signage. In light of these requirements, the bill provides for a delay in commencement of six months before service stations will be required to comply with their new obligations. This will give service station owners enough time to design and install new fuel price board signage.

The bill further supports ACT consumers to make informed choices when purchasing another staple in many Canberra households: free-range eggs. In April 2018, the new Australian Consumer Law (Free Range Egg Labelling) Information Standard took effect across Australia. This standard, introduced by the commonwealth government, sets a mandatory and enforceable national definition of free-range eggs. It also prescribes requirements for their packaging labels and retail display.

The commonwealth information standard permits producers who use maximum stocking densities of 10,000 hens per hectare to label their eggs as free range. This means that eggs produced by hens who have only one square metre of room to themselves can be labelled and sold as free-range.

One square metre per hen is starkly different to the conditions that consumers consider to be free-range. It is also starkly different to the definition of free-range eggs that currently sits on the ACT's statute book and operated in the territory before the commonwealth information standard superseded it last year. The ACT's definition was drafted according to best practice animal welfare standards developed by the CSIRO, including a requirement that producers of free-range eggs adhere to maximum stocking densities of 1,500 birds per hectare.

The ACT government has always disagreed with the maximum 10,000 hens per hectare definition of free-range eggs in the commonwealth information standard. We objected to it at the meeting where it was passed. However, the 10,000 hens per hectare standard has now come into force across Australia. ACT producers and retailers have been complying with the commonwealth information standard since it became law in April 2018. However, as the ACT's inconsistent definition of free-range eggs remains on our statute book, there is potential for community confusion about the applicable definition of free range.

To eliminate this inconsistency, the bill formally aligns the ACT's definition with the commonwealth information standard. ACT law will therefore permit eggs to be labelled and sold as free range if produced by hens subject to a maximum stocking density of up to 10,000 hens per hectare.

Nevertheless, the bill also recognises that many people in our community have a different idea of free range from what the national definition now permits. Canberrans are a caring community and many purchase eggs with the interests of hens in mind. Ms Cheyne has made this point very well. It is important that these consumers, when they purchase eggs labelled free range, are getting what they expect.

The ACT government, along with many consumers and animal welfare bodies, does not agree that hens kept at stocking densities of 10,000 per hectare are actually living in free-range conditions. That is why this bill will provide consumers with free range information through a simple and effective solution: amending the content of signs which retailers display next to free-range eggs.

The new signs will state that the ACT government supports a stocking density of 1,500 birds or fewer per hectare, which is also the maximum stocking standard supported by the CSIRO, RSPCA and consumer advocacy group CHOICE. The context for this is that, under the new rules, all egg producers are also required to put on their labels the stocking density they operate under, so that when consumers come along they will be able to see that on the labels. Many people who have bought eggs recently will see that that information is now available.

The new sign will provide consumers with context that helps them make sense of the different maximum stocking densities that are currently displayed on each carton of free-range eggs. With this information being easily accessible, consumers can make quick, easy and genuinely informed comparisons between brands of free-range eggs at the point of sale. This simple change is important for consumers who care about hens and want to make ethical purchasing decisions at the supermarket.

Canberrans can rightly expect every purchase they make to be a dollar well spent. This is particularly true of staple everyday items like eggs and fuel. The changes contained in this bill will empower consumers to make genuinely informed purchasing choices that suit their budgets, needs and, in the case of free-range eggs, ethical standards. 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.

Births, Deaths and Marriages Registration Amendment Bill 2018

Debate resumed from 29 November 2018, on motion by **Mr Rattenbury**:

That this bill be agreed to in principle.

MR HANSON (Murrumbidgee) (4.44): The Canberra Liberals will support this bill. It addresses a very difficult situation. The bill deals with the situation where no heartbeat is detected in a child before 20 weeks of gestation but the child is not delivered until after 20 weeks. Currently, the legislation requires that if a child is born after 20 weeks, the parents must register the birth. If it is not delivered prior to 20 weeks, it cannot be registered, as it is not legally considered a stillbirth. Not only is this an inherently difficult time for parents, it is exacerbated by the inconsistency in current practice where some physicians will record and report the date that the heartbeat was detected to have stopped, and others do not.

The bill therefore allows parents to choose whether or not to register a birth when there was no heartbeat before 20 weeks but delivery after. This recognises that, for some parents, being forced to register adds to their trauma and grief while, for others, being allowed to register is an important recognition of their loss and allows closure.

We note the minister's comments that this applies only to situations where there is no heartbeat before 20 weeks but delivery occurs after 20 weeks, and that it does not affect the requirements in all other stillbirths.

The bill also removes the definition of "stillborn" based solely on body mass. Currently, the legislation uses 400 grams, as it was drafted when gestational age could not be accurately established. Current technology can accurately determine gestational age, so the definition using body mass is considered redundant.

Situations such as these are extremely difficult. It is our duty as legislators to provide the best, most supportive framework possible. In that light the Canberra Liberals believe that this bill is an improvement on the existing laws, and we will support the bill.

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) (4.46), in reply: The government understands the importance of supporting all families in our community and providing high quality health and community services through pregnancy and parenthood.

The arrival of new Canberrans is always something worth celebrating but we ought not to forget that there are parents for whom birth is a time of sadness and grief, for babies who have died during pregnancy and are stillborn. In other cases birth may be bittersweet where a heartbreaking decision has been made to reduce a multiple pregnancy in accordance with medical advice to give siblings the best possible chance of life.

We all feel great sympathy for these bereaved parents and want to make sure that our government processes are sensitive to their needs rather than adding to their distress. With this bill we are providing greater flexibility in our birth registration process in the ACT to give parents a choice as to whether to register their stillborn babies who have died in utero before 20 weeks gestation but are born after 20 weeks. This will affect only a small group of parents but it is nevertheless an important reform. The choice will help grieving parents by allowing them to decide whether registering the birth would provide desired formal recognition of the child lost or whether this process would compound their grief.

I can only imagine the sadness and difficulty of having to decide to reduce a multiple pregnancy based on medical advice. These instances are rare, but sometimes in a multiple pregnancy it is necessary to let one child go to reduce a life-threatening health risk to the mother or to ensure that other siblings have the highest chance of survival. It is a heartbreaking decision to have to make in those circumstances.

In the case of selective reduction, the reduction may occur early in the pregnancy but the foetus may remain in utero until the birth of siblings, being born after 20 weeks, which is the date when normally a stillborn child is required to be registered. For many parents in this situation the requirement to name and register the baby that has died through selective reduction can be a traumatic reminder of this very difficult decision. Currently, parents in this situation must also include the stillborn child on the birth certificate of siblings as part of the multiple birth. Parents must also include the stillborn child on the birth registration of their subsequent children.

Grief is a very personal journey and there are bereaved parents who would like to recognise and honour the life lost in a formal way through giving the baby a name and keeping a birth certificate. For those parents, formal registration can be a helpful process.

There is no such thing as the correct way to grieve or acknowledge pregnancy loss, and every family will deal with these losses in their own way. For that reason parents should be given a choice to decide whether they want to register a child who is stillborn after 20 weeks but who died in utero before 20 weeks. This bill will give them that choice.

It is important to acknowledge that this bill has a limited scope of operation and applies to the particular situation of a child dying in utero before 20 weeks but being born after 20 weeks. In part this is to ensure that the bill will not affect the overarching purpose of the register of births, deaths and marriages and the important data collection that forms the basis of perinatal death statistics in Australia.

In developing this bill we have considered the human rights of both the birth parent and the non-birth parent. The bill will give the choice to a birth parent of the stillborn child, on the condition that the birth parent must consult with the child's other parent before making a decision. There are exceptions to this consultation requirement, which includes the situation where the birth parent is also a victim of family violence, or where the non-birth parent is not contactable.

To extend the benefits of this bill to as many parents as possible, the bill will operate retrospectively for up to six months from the date of commencement. For a child whose birth took place within that prior six-month period, and whose birth has not already been registered, the birth parent will have a choice in deciding whether or not to register the baby as a stillborn child. This will only apply in the particular circumstances covered by the bill.

The government has listened to the concerns of doctors and families who have personal experience of these issues and we have taken action to improve our processes. While this bill will bring about a small change in the system of birth registration, it allows us to handle the issue in a sensitive and compassionate way which can make a real difference to bereaved families. 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.

Adjournment

Motion (by **Ms Stephen-Smith**) proposed:

That the Assembly do now adjourn.

Yerrabi electorate

MS ORR (Yerrabi) (4.51): I rise today to update the Assembly on what has been happening in my electorate of Yerrabi since our last sitting week in November.

As many of us are aware, Taylor has a new school. In fact, Margaret Hendry School is the ACT's newest school, having opened just recently, on 4 February, for children from Taylor, Casey and Moncrieff to start the first term of 2019. The school offers an innovative learning environment built around open learning areas and outdoor spaces. With a progressive design and future-focused, evidence-based approach to education, Margaret Hendry School is already an invaluable addition to the Yerrabi community.

By the same token, in addition to having access to strong educational services, there is a distinct benefit to our communities when they have access to better play spaces with

new playgrounds. Play spaces which include the right balance of quality and accessibility provide for experiences that can be creative and imaginative and encourage children to climb, jump, explore and develop their coordination skills. Indeed, new play areas add to Canberra's extensive playground network and will always enhance children's physical health and wellbeing by providing opportunities for social and motor skill development. To put it simply, play spaces are a crucial investment in the ongoing livability and vibrancy of our local communities.

The reason I raise this in the Assembly today is that construction of Taylor's new park has finished and the space is now open for people to come and use. This new park is an exciting addition to Taylor and will go a long way in encouraging the vitality and livability of the area. You can visit the park on the corner of Sutherland Crescent and Mottram Street and explore its sparkling new facilities, including bike racks, mountaineering ropes, exercising equipment, a climbing net, gardens, drinking fountains, mini-trampolines, picnic tables and slides.

I would also like to take the opportunity to update the Assembly on the fantastic action that businesses in Yerrabi have been taking to help our environment. I have recently reached out to a number of Yerrabi cafes to let them know about the straws suck campaign, and I am pleased to report that several cafes in my electorate are already working independently to reduce their single-use plastics. Some of these businesses are going above and beyond to make a difference, and I am pleased to have received really positive feedback from businesses that have not already taken the pledge. In particular, I would like to congratulate Sunday in Canberra and Blind Dove Cafe for being the most recent Yerrabi businesses to say they will take the straws suck pledge. Both of these fantastic local cafes have made concerted efforts to significantly reduce their use of single-use plastics. This is something to celebrate. I would encourage everyone to check these cafes out for themselves; just remember to take a reusable straw or cup.

Yerrabi was lit up over the Christmas holiday period thanks to the annual Christmas light tour. All across the ACT, people put on a spectacular show of Christmas lights at their homes, some of the most iconic of which, I am proud to report, occurred in Yerrabi. Ngunnawal, Forde, Bonner and Gungahlin all outdid themselves, with people travelling from all over Canberra to have a look at the magical displays. It is also worth noting that in true Christmas spirit, many of these homes took the opportunity to do some fundraising for charity. For example, 32 Elia Ware Crescent in Bonner was voted one of Australia's top spots for Christmas lights; they raised funds for Legacy Australia during the show.

Whether it is government projects or community events and initiatives, Yerrabi is always full of excitement.

On behalf of the Yerrabi community, I would like to express how grateful we are to everyone in the ACT who worked hard over the holiday period. I cannot emphasise enough how much I appreciate the workers in emergency services, hospitality, retail and anyone else who kept the ACT running while the rest of us were lucky enough to take some time to relax with family and friends.

I hope that everyone had an enjoyable holiday break, and I am looking forward to working with the Yerrabi community throughout this year.

Cyberbullying

MRS KIKKERT (Ginninderra) (4.55): Last week, thousands of children across the territory resumed or started school after a summer holiday that probably felt too short for some, too long for others. This is an exciting time for parents and children, but it is not without some anxiety. Kids wonder if they will find friends and fit in. Parents often share in those worries, and also hope that their children will be safe, healthy and happy as they learn.

The spread of technology into book bags and pockets often makes learning easier and more fun, but it can also make it harder to keep kids safe. Bullying, unfortunately, has been around for a long time, but children and young people now face the added danger of cyberbullying. Moreover, the Australian Institute of Family Studies has found that whilst most cyberbullying occurs outside school hours, it often originates at school and involves classmates.

Cyberbullying is defined as harassment or intimidation that takes place online. This can occur using social media, text messaging, email, image sharing and other platforms. It can include sending intentionally hurtful messages, spreading rumours or lies, sharing humiliating or embarrassing images, and sometimes even making threats.

No-one knows for certain, but it has been estimated that one in five Australian children aged eight to 15 may have experienced cyberbullying. The most common time for this to occur is around the transition from primary school to high school, but it can and does occur throughout adolescence and beyond.

The effects of cyberbullying can be devastating. These include lower school attendance and performance; feelings of isolation, fear, and depression; and decreased self-esteem and confidence. In extreme cases, cyberbullying has even led to self-harm, including suicide.

Many parents and other adults can be oblivious to cyberbullying because, unlike what takes place on the oval at recess or after school, this kind of bullying frequently hides behind personal accounts and passwords. It is important, therefore, to recognise the signs and symptoms of cyberbullying and understand some of the strategies for keeping children safe.

The Australian eSafety Commissioner lists the following as signs that a child might be in trouble: being upset after using the internet or their mobile phone; changes in personality, becoming more withdrawn, anxious, sad or angry; appearing more lonely or distressed; showing a decline in their school work; avoiding school or clubs; and becoming secretive about their online activities and mobile phone use.

If parents or other carers see these signs, they should talk with their children. It is also recommended to keep a close eye on online behaviour and to keep kids connected to

supportive friends and other family members. Reassure them that they will not lose access to the internet or their phones just because they have opened up about a problem. Report instances of cyberbullying to the online service provider, and remember that you can ask for content to be removed. Serious cyberbullying can be reported to the eSafety Commissioner via an online complaints form. This website also has a link to the Kids Helpline, which provides online or phone support 24 hours per day. When the issue involves other students, parents should also speak to the school principal.

There are also important steps that parents and carers can take to help keep kids safe in the first place. These include talking with children about cyberbullying before it occurs; establishing guidelines for technology use at home; monitoring usage of the internet and mobile phones without being too controlling; developing a good relationship with a child's school; and building a child's resilience and self-esteem.

In many ways, this is the best of times and the worst of times for our children. The sum of the world's knowledge is at their fingertips, but this means that hurtful words and harmful images can be too. I encourage all parents and carers in the ACT to learn more about cyberbullying and do all the right things they can to help keep their precious children safe. I have confidence that we can do this.

Bosom Buddies ACT

MISS C BURCH (Kurrajong) (5.00): There are many great local charities doing some fantastic work across our city, and today I would like to acknowledge the amazing work of Bosom Buddies ACT. Bosom Buddies is a local charity organisation that seeks to provide support to women who are battling breast cancer. Founded in 1995, the organisation is run by committed volunteers who have either fought breast cancer themselves or have supported others who have. Bosom Buddies' key approach to support is to provide a volunteer "buddy" to women who have recently been diagnosed, and their families, establishing social support networks for these women and ensuring consistent contact with those most affected.

These support networks and buddy partnerships are empowering and invaluable for women facing such a diagnosis. Through nurturing a culture of inclusion between women who are facing shared experiences to fostering hope and personal support, the impact of Bosom Buddies in the ACT is significant.

Another key component of their work is raising community awareness about breast cancer. Early detection is so important, and knowing how to do that, how regularly to check and what to do if you feel something is crucial. Bosom Buddies has fantastic educational material available on its website and also distributes pamphlets and other materials.

Canberra law firm Meyer Vandenberg is hosting a second-hand corporate clothing sale today and tomorrow, with all proceeds from the sale of donated clothing going to Bosom Buddies. Last night I had the privilege of attending the launch and presale event, and I would like to congratulate Kirsty and her team on their huge effort in organising the sale and collecting and sorting the clothing. Capitalising on the recent

Marie Kondo craze, they have rack upon rack of good quality corporate clothing available for men and women, along with shoes, handbags, belts and jewellery, and a significant number of designer pieces.

The sale will continue at the Meyer Vandenberg offices until 6 pm today and again tomorrow between 12 pm and 2 pm, and 4 pm and 6 pm. I highly recommend checking it out and supporting Bosom Buddies to continue their fantastic work in our community.

Neurofibromatosis

MS CHEYNE (Ginninderra) (5.02): Could you stay strong when your stomach is in knots? You know what is happening inside her body but pretend it is okay. She tells you of dreams to work in Banff National Park, and to not eat sugar when she is an adult. You help her research what she needs to learn to follow her dream. You tell her it will all be okay at the next MRI, even if you are not a hundred per cent sure. You listen to the doctor and try to listen to it all. Sometimes you get the good bit, when it is better than you thought; sometimes you get the scary bits, when it is worse than you thought.

Then there are the decisions: to do or not to do. And what if, as a parent, you both do not agree? What if your decision is not the right one? What if it makes it worse? Can you live with that? Would you allow medication to be tested on your son or your daughter?

These are all the thoughts and feelings of Cam Elliott, speaking as the father of Libby Elliott, who I have spoken about in this place before. Libby has neurofibromatosis 2, or NF2—a condition which results in tumours throughout the body. It can be passed through genes or, as in Libby's case, it can occur spontaneously. Libby has tumours on her spinal cord and at the base of her brain. Libby is eight years old.

Without research, families like Libby's cannot get the answers they need, and without funding the research cannot be done. Cam and Libby, as well as Libby's sister, Katy, and mum, Jen, are doing everything they can to raise awareness of this condition. Since 2017 Cam himself has raised more than \$84,000 for the Children's Tumour Foundation, going to such feats as carrying 68 kilograms for 10 kilometres and 72 kilograms for six kilometres. I joined him on the latter one last year. He also had his very hairy legs waxed for people's enjoyment, once he raised a certain amount of money.

This Sunday the Cupid's Undie Run will be held at the Southern Cross Yacht Club. For a registration fee of \$70, you will get a pair of very smart looking Calvin Klein undies, an "I'm with Cupid" T-shirt, and a whole heap of fun to participate in the run and raise some money for the Children's Tumour Foundation. You can wear the undies on the outside of other garments if you are feeling shy.

If you are not able to make the run, I encourage everyone in the Canberra community to take a moment to donate. It would be great to get Cam to \$90,000 raised for NF research by this weekend. I understand that if he hits a target, he will be getting

those legs waxed again. In all seriousness, it will be even greater when one day we have a cure. Put simply, we have got to have the funds to get there.

Waste—green bins

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) (5.06): As we all know, Canberra is a garden city. We are a city of accessible bushland, generous parks and canopied streets with wide green verges and medians. We are also a city of diverse creative private gardens and courtyards surrounding the homes in our suburbs. I do not think I have ever been anywhere in the world where urban greenery is more loved and more diligently cared for.

Of course, I cannot speak of our garden city without acknowledging the incredible work of the Transport Canberra and City Services staff who maintain our public spaces. Our public gardeners often go unthanked, but I hope they know there are few cities where their work would be more valued, and I am sure they are aware that there are few where it would be more scrutinised by the community than here in Canberra.

We likewise cannot overlook the contribution of private gardeners, the everyday Canberrans who curate suburban gardens that frame our streetscapes and provide food and habitat for our native birds, insects and other wildlife. Canberra would not be a garden city if it were not also a gardeners' city.

That is why I am so proud to be part of a government that is delivering on its commitment to roll out green bins across our entire city. I was pleased recently to join my colleague Mr Steel to announce that green bins are now coming to Kurrajong. For a one-time fee of \$50 residents of the inner north and inner south can now apply to receive their own green bin. This is achieved by simply visiting the ACT green waste bins website and entering your details, with services to commence on 1 April.

As members would be aware, the governments green bins program allows Canberrans to access free collection of garden waste such as grass clippings, hedge trimmings and fallen leaves and small branches, through a fortnightly kerbside bin collection. In other words, green bins are just like existing red and yellow bins but for the garden.

While on the subject of hedge trimming I take this opportunity to remind constituents in Kurrajong that it is their responsibility to keep their hedges trimmed away from footpaths, something that is raised regularly with me by constituents. Having a green bin will make that job even easier.

Green bins help to prevent green waste from ending up in red bins. We know that Canberrans are very environmentally conscious; we know that Canberrans are very waste conscious. Green bins are just one way this government is giving Canberrans the tools they need to minimise the amount of waste sent to landfill and to help us all work to minimise our collective environmental impact.

Canberra's inner north and inner south are home to some of our oldest private gardens; they are also home to some of our oldest gardeners. We all know that as we get on in years it becomes a little harder to hitch the trailer to the car in order to take a load of garden waste to the tip. Green waste bins will help older gardeners maintain their independence for longer. The government has acknowledged the benefits this brings by waiving the \$50 fee for certain pensioners and concession card holders.

Alongside our older suburbs, parts of Kurrajong are undergoing significant change and urban renewal. With the construction of new homes comes the establishment of new gardens. This new generation of homes, plants and gardeners will help maintain and renew our urban greenery into the future.

The green bins program was one of Labor's election commitments and formed part of the platform that was overwhelmingly endorsed by Canberrans at the 2016 election. I take this opportunity to acknowledge the hard work of the Minister for City Services, Mr Steel, and his predecessor, Ms Fitzharris, and thank them for delivering green bins to the residents of my electorate ahead of schedule.

While other members may debate the point, I doubt that the green bin rollout has been more hotly anticipated in any electorate than it has in Kurrajong. I hope our new green bins will become a much-loved tool for this and the next generation of gardeners as they continue Canberra's great tradition of green thumbs and green spaces.

Question resolved in the affirmative.

The Assembly adjourned at 5.11 pm until Tuesday, 19 February 2019, at 10 am.

Answers to questions

Mental health—compensation claims (Question No 1891)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 26 October 2018:

- (1) In relation to the Adult Mental Health Unit in (a) 2012, (b) 2013, (c) 2014, (d) 2015, (e) 2016, (f) 2017 and (g) 2018 to the date on which this question is published in the Questions on Notice Paper, (i) how many suicides occurred, (ii) how many assaults on staff occurred, (iii) how many staff or ex-staff made compensation claims, (iv) how many staff or ex-staff received compensation payments, (v) what was the total value of compensation payments made.
- (2) In relation to compensation claims made by staff or former staff of the Adult Mental Health Unit but not yet settled, (a) how many are there and (b) What is the total value.
- (3) In relation to the Dhulwa mental health unit in each (a) 2016, (b) 2017 and (c) 2018 to the date on which this question is published in the Questions on Notice Paper, (i) how many suicides occurred, (ii) how many assaults on staff occurred, (iii) how many staff or ex-staff made compensation claims, (iv) how many staff or ex-staff received compensation payments and (v) what was the total value of compensation payments made.
- (4) In relation to compensation claims made by staff or former staff of the Dhulwa secure mental health unit but not yet settled, (a) how many are there and (b) what is the total value.

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

- (1) (a) to (g) (i)

2012	0
2013	0
2014	0
2015	0
2016	0
2017	0
2018	0

- (1) (a) to (g) (ii)

2012	19
2013	30
2014	21
2015	16
2016	36
2017	53
2018	109

As part of work to improve occupational violence prevention strategies, Canberra Health Services have updated procedures and business rules to reflect a more inclusive and consistent approach to the classification of incidents. These business rules have been applied retrospectively to incidents from 1 January 2018. Improved reporting culture and increased awareness of the need to report occupational violence is also a large contributor to the increase in incidents in 2018.

(1) (a) to (g), (iii) to (v)

- Workers' compensation claim data is sourced from the Comcare Customer Information System and provided by Chief Minister, Treasury and Economic Development Directorate, Workplace Safety and Industrial Relations Data and Analytics Team.
- The Comcare workers' compensation cost structure is limited to the Mental Health, Justice Health and Alcohol and Drug Services Division only. Canberra Health Services cannot provide this workers' compensation data.

Mental Health, Justice Health and Alcohol and Drug Services Division

Injury Year	Number of current or ex-staff who lodged claims for workers' compensation	Number of current or ex-staff with accepted workers' compensation claims	Cost to Date *
2012	6	6	\$33,721
2013	11	11	\$418,586
2014	9	9	\$302,015
2015	5	5	\$562,075
2016	7	6	\$72,416
2017	5	4	\$5,960
2018	8	7	\$70,177

* Cost to date is the total of costs incurred on the accepted claims as at 05/11/18.

(2) (a) and (b)

- The Comcare workers' compensation cost structure is limited to the Mental Health, Justice Health and Alcohol and Drug Services Division only. Canberra Health Services cannot provide this workers' compensation data.
- In the Mental Health, Justice Health and Alcohol and Drug Services Division between 2012 and 2018, there are 48 accepted claims for workers' compensation with costs to date of \$1.465 million (*cost to date is the total of costs incurred on the accepted claims as at 05/11/18*).

(3) (a) to (g) (i)

2016	0
2017	0
2018	0

(3) (a) to (g) (ii)

2016	0
2017	26
2018	21

As part of work to improve occupational violence prevention strategies, Canberra Health Services have updated procedures and business rules to reflect a more inclusive and consistent approach to the classification of incidents. These business rules have been applied retrospectively to incidents from 1 January 2018. Improved reporting culture and increased awareness of the need to report occupational violence is also a large contributor to the increase in incidents in 2018.

(3) (a) and (b), (iii) to (v)

Refer to the response at 1(a) to (g), (iii) to (v).

(4) (a) and (b)

Refer to the response at 2 (a) and (b).

**Mental health—emergency department data
(Question No 1912)**

Mrs Dunne asked the Minister for Mental Health, upon notice, on 26 October 2018:

- (1) What percentage of people with mental health issues presenting to an emergency department received treatment within clinically appropriate guidelines in (a) 2013-14, (b) 2014-15, (c) 2015-16, (d) 2016-17 and (e) 2017-18.
- (2) What was the (a) average, (b) shortest and (c) longest length of time spent in an emergency department by people presenting with mental health issues in the years referred to in part (1).
- (3) What percentage of people with mental health issues presenting to an emergency department left the department (a) before receiving treatment, (b) while receiving treatment but before being admitted to a ward and (c) after receiving treatment which resulted in a clinical decision that admission was not required in the years referred to in part (1).

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

- (1) The percentage of people with mental health issues presenting to an emergency department who received treatment within clinically recommended times was (a) 69 per cent in 2013-14, (b) 65 per cent in 2014-15, (c) 58 per cent in 2015-16, (d) 55 per cent in 2016-17, and (e) 40 per cent in 2017-18.
- (2) (a) The average time for people with mental health issues who presented and were treated in an emergency department was 425 minutes in 2013-14, 491 minutes in 2014-15, 389 minutes in 2015-16, 327 minutes in 2016-17, and 397 minutes in 2017-18. (b) The shortest time for people with mental health issues who presented and were treated in an emergency department was three minutes in 2013-14, four minutes in 2014-15, six minutes in 2015-16, four minutes in 2016-17, and four minutes in 2017-18. (c) The longest time for people with mental health issues who presented and were treated in an emergency department was 73 hours in 2013-14, 87 hours in 2014-15, 80 hours in 2015-16, 72 hours in 2016-17, and 90 hours in 2017-18.
- (3) (a) The percentage of people with mental health issues who left the department before receiving treatment is not possible to quantify as it can only be determined that a patient had a mental health issue after clinical assessment. (b) The percentage of people with mental health issues who left the department while receiving treatment but before being admitted to a ward was two per cent in 2013-14, two per cent in 2014-15, two per cent in 2015-16, two per cent in 2016-17, and three per cent in 2017-18. (c) The percentage of people with mental health issues who after receiving treatment which resulted in a clinical decision that admission was not required was 65 per cent in 2013-14, 66 per cent in 2014-15, 62 per cent in 2015-16, 55 per cent in 2016-17, and 55 per cent in 2017-18.

**Health—consultants
(Question No 1913)**

Mrs Dunne asked the Minister for Mental Health, upon notice, on 26 October 2018:

- (1) How many consultancy reports were commissioned in the health portfolio from 1 January 2018 to the date on which this question was published in the Questions on Notice Paper.
- (2) Who was awarded consultancy contracts in the health portfolio from 1 January 2018 to the date on which this question was published in the Questions on Notice Paper.
- (3) What was the (a) purpose and (b) value of each consultancy contract.
- (4) For each finalised consultancy report, (a) what was the title of the report and (b) was it released publicly; if not, why not.
- (5) For each consultancy report not yet finalised, will it be released publicly; if so, when; if not, why not.

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

- (1) As Minister Fitzharris has responsibility for the majority of Health portfolio, please see response to question 1 of Question on Notice 1907.
- (2) As Minister Fitzharris has responsibility for the majority of Health portfolio, please see the table at Attachment A of Question on Notice 1907.
- (3) See above.
- (4) See above.
- (5) See above.

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

Hospitals—maintenance (Question No 2015)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 2 November 2018:

- (1) How often have wards been closed due to maintenance issues since 1 January 2018 to date at (a) The Canberra Hospital (TCH), (b) Calvary Public Hospital, (c) Centenary Hospital for Women and Children and (d) University of Canberra Public Hospital.
- (2) If wards have been closed, how long was the relevant ward closed and what was the cause of the closure at (a) TCH, (b) Calvary Public Hospital, (c) Centenary Hospital for Women and Children and (d) University of Canberra Public Hospital.
- (3) Other than the incidents outlined in parts (1) and (2), have maintenance issues resulted in damage to wards at (a) TCH, (b) Calvary Public Hospital, (c) Centenary Hospital for Women and Children and (d) University of Canberra Public Hospital; if so, (i) what was the extent of the damage caused to wards, (ii) has the problem been fixed yet and (iii) how much did it cost to fix.

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

	(a) Canberra Hospital	(b) Calvary Public Hospital	(c) Centenary Hospital for Women and Children	(d) University of Canberra Hospital
1.	Nil recorded	Nil recorded	Paediatric Medical Ward	Nil recorded
2.	N/A	N/A	Two rooms closed since 3 August 2018 due to a pin hole leak in pipework. Impacted rooms will be returned to service following remediation in December 2018.	N/A
3.	Nil	Nil	Nil	Nil

Canberra Hospital—plumbing issues (Question No 2017)

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 2 November 2018:

- (1) How many plumbing incidents in The Canberra Hospital (TCH) campus have occurred in the period 1 July 2017 to the date this question was published in the Questions on Notice Paper, that resulted in the closure, partial closure or loss of capacity in wards, operating theatres, other clinical spaces or other general spaces.
- (2) In relation to each incident referred to in part (1), (a) where did they occur, (b) when did they occur and (c) what impact did they have on the relevant facility.
- (3) As at the date on which this question was published in the Questions on Notice Paper, (a) in which wards, operating theatres, other clinical areas, or other general spaces of the TCH campus have problems with dampness, dampness-related mould, water leakage or any other plumbing-related issues been identified and (b) what is the nature of each identified problem.
- (4) Which buildings on the TCH campus have the most problems with their plumbing.
- (5) What plans does Canberra Health Services have to fix those problems.
- (6) Do any wards, theatres, other clinical areas, or other general areas of TCH have problems with insects; if so, what impact does this have on patients and staff.

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

- (1) Two.

(2)

(a) Building 8 and Building 11 (Paediatric Medical Ward).

(b) 6 September 2018 and 3 August 2018.

(c) Partial closure of Building 8 and closure of two rooms in Building 11.

(3)

Building	Dampness	Dampness Related Mould	Water Leak	Plumbing Related Issues	Description	Comment Remediation
Canberra Hospital Building 11		✓	✓	✓	Shower Spindle Leak	<ul style="list-style-type: none"> Remediation program in place under UMAHA to rectify identified impacted ensuites Regular checking of all ensuites
Canberra Hospital Building 12		✓	✓	✓	<p>Theatre corridor works to replace hot water ring main pipework.</p> <p>Theatre 14 Air Handling Unit Filter mould detected during planned maintenance work</p>	<ul style="list-style-type: none"> Staged pipework replacement completed through UMAHA Hydraulics in 2017 and 2018. Developing a revised HVAC design with a view to implementing a new HVAC solution in 2019.
Canberra Hospital Building 1 Wards 6A, 6B, 7A and 7B.				✓	Level 6 and 7 hot and cold water ring main upgrades.	<ul style="list-style-type: none"> Level 6 complete in 2018 Level 7 to occur in 2019.

*All works are coordinated with clinical areas to avoid disruption to hospital services.

(4) See response to Question 3.

(5) See response to Question 3.

(6) There has been a small issue of flies in Building 12 over the past few months. Facilities Management and Infection Prevention and Control have reviewed strategies to minimise this issue and have installed flyscreens behind ventilation grilles to prevent ingress of flies. No impact to patient or staff safety has been experienced.

Roads—contracts (Question No 2025)

Miss C Burch asked the Minister for Roads, upon notice, on 2 November 2018:

What is the total contract value, who is the contractor and what is the expected completion date for the projects of (a) Brisbane Avenue: Rehabilitation of Brisbane Avenue between Bowen Drive to National Circuit and improvements to stormwater sumps, (b) Griffith – Furneaux Street/Manuka Circle: Improvements to the intersection as part of the 2017-18 Blackspot Program, (c) Griffith – Telopea Park/Currie Crescent: Improvements to the intersection as part of the 2017-18 Blackspot Program, (d) Canberra Brickworks access road and Dudley Street upgrade: Construction of an access road into the Canberra Brickworks development precinct and upgrading of Dudley Street in Yarralumla, (e) Gungahlin town centre: Over the next 12 months Gungahlin's town centre and road network will be transformed, (f) Gundaroo Drive stage 1 duplication: Duplication of Gundaroo Drive from Gungahlin Drive to Mirrabai Drive/Anthony Rolfe Avenue, (g) Gundaroo Drive stage 2 duplication: Duplication of Gundaroo Drive from Gungahlin Drive to the Barton Highway, (h) Mirrabai Drive/Gundaroo Drive/Anthony Rolfe Avenue intersection signalisation: Replacement of the existing roundabout with traffic lights including full pedestrian provisions, (i) Gungahlin Place Park: Improvements to central Gungahlin Place median strip, between Efkarpidis Street and Hibberson Street, (j) Horse Park Drive duplication: Duplication of Horse Park Drive between Anthony Rolfe Avenue Katherine Avenue west and between the Federal Highway and Well Station Drive, (k) Ernest Cavanagh Street extension: Extension of Ernest Cavanagh Street between Hinder Street and Manning Clark Crescent, (l) Gordon – Drakeford Drive/Johnson Drive/Woodcock Drive that intersects: Line marking improvements and intersection approach improvements as part of the 2017-18 Blackspot Program, (m) Greenway – Athllon Drive/Don Dustan Drive/Scollay Street that intersects: Line marking improvements and intersection approach improvements as part of the 2017-18 Blackspot Program, (n) Monaro Highway – From Angle Crossing Road to Old Cooma Road: Line marking improvements as part of the 2017-18 Blackspot Program and (o) Molonglo 3 Roads and Infrastructure package: This first part of the Molonglo 3 Roads and Infrastructure package.

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

(a) Brisbane Avenue: Rehabilitation of Brisbane Avenue between Bowen Drive to National Circuit and improvements to stormwater sumps:

- total contract value \$2.296 million incl GST;
- completion is expected in mid-2019; and
- the contractor is Cord Civil.

(b) Griffith – Furneaux Street/Manuka Circle: Improvements to the intersection as part of the 2017-18 Blackspot Program

- total contract value \$0.489 million incl GST;
- project completed; and
- the contractor is Simeonov.

(c) Griffith – Telopea Park/Currie Crescent: Improvements to the intersection as part of the 2017-18 Blackspot Program,

- total contract value \$0.489 million incl GST;
- project completed; and
- the contractor is Simeonov.

Note (b) and (c) the sites were packaged together.

(d) Canberra Brickworks access road and Dudley Street upgrade.

This project is currently in design. The design is being finalised and environmental and planning approvals are being sought from the Commonwealth, NCA and EPSDD. Tenders for construction will be called in 2019.

(e) Gungahlin Town Centre: Over the next 12 months Gungahlin's Town Centre and road network will be transformed.

Understanding this request references the Gungahlin Bus Station and Hibberson Street Shared Zone:

- total contract value \$7.273 million incl GST;
- project completed; and
- the contractor is Guidelines.

(f)) Gundaroo Drive stage 1 duplication: Duplication of Gundaroo Drive from Gungahlin Drive to Mirrabai Drive/Anthony Rolfe Avenue:

- total contract value \$21.55 million incl GST;
- completion is expected in late 2018; and
- the contractor is Woden Contractors.

(g) Gundaroo Drive stage 2 duplication: Duplication of Gundaroo Drive from Gungahlin Drive to the Barton Highway:

- total contract value \$21.92 million incl GST;
- completion is expected in mid-2020; and
- the contractor is Woden Contractors.

(h) Mirrabai Drive/Gundaroo Drive/Anthony Rolfe Avenue intersection signalisation: Replacement of the existing roundabout with traffic lights including full pedestrian provisions,

- total contract value \$4.76 million incl GST;
- completion is expected in late 2018; and
- the contractor is Woden Contractors.

Included as a variation to Stage 1 works.

(i) Gungahlin Place Park: Improvements to central Gungahlin Place median strip, between Efkarpidis Street and Hibberson Street:

This project has been designed and documented ready for tender. The project is to be tendered in the New Year, through an open tender process.

- Contractor yet to be appointed.

(j) Horse Park Drive duplication:

Duplication of Horse Park Drive between Anthony Rolfe Avenue Katherine Avenue west:

- total contract value \$24.19 million incl GST;
- completion is expected in mid-2019; and
- the contractor is Canberra Contractors.

Duplication of Horse Park Drive between the Federal Highway and Well Station Drive:

- total contract value \$12.4 million incl GST;
- completion is expected in late 2018; and
- the contractor is BMD Contractors.

(k) Extension of Ernest Cavanagh Street between Hinder Street and Manning Clark Crescent:

- total contract value \$4.3 million incl GST;
- completion is expected in late 2018; and
- the contractor is Dale and Hitchcock Civil Engineering and Landscaping.

(l) Gordon – Drakeford Drive/Johnson Drive/ Woodcock Drive that intersects: Line marking improvements and intersection approach improvements as part of the 2017-18 Blackspot Program:

- total contract value \$0.81 million incl GST;
- project completed; and
- the contractor is Capital Lines & Signs.

(m) Greenway – Athllon Drive/ Don Dunstan Drive/Scollay Street that intersects: Line marking improvements and intersection approach improvements as part of the 2017-18 Blackspot Program:

- total contract value \$0.61 million incl GST;
- project completed; and
- the contractor is Henness & Locktons.

(n) Monaro Highway – From Angle Crossing Road to Old Cooma Road: Line marking improvements as part of the 2017-18 Blackspot Program:

- total contract value \$0.81 million incl GST;
- project completed; and
- the contractor is Capital Lines & Signs.

(o) Molonglo 3 Roads and Infrastructure Stage 3A (first part of the project);

- Total contract value \$14.1 million incl GST;
- Completion is expected in early 2019; and
- The contractor is Woden Contractors .

ACT Health—cultural diversity (Question No 2035)

Mrs Kikkert asked the Minister for Health and Wellbeing, upon notice, on 2 November 2018 (*redirected to the Acting Minister for Health and Wellbeing*):

- (1) In relation to the active engagement with service providers and organisations to improve multicultural health services in the ACT, and given that in section 6.7 of Towards Culturally Appropriate and Inclusive Services: A Co-ordinating Framework for ACT Health 2014–2018, one of the key aims was to establish and maintain effective liaison within government and non-government organisations whose services target culturally and linguistically diverse (CALD) populations, what has been the result of liaising, consulting and supporting (a) ACT Government Office of Multicultural Affairs, (b) Companion House and (c) Migrant and Refugee Resettlement Services (MARSS).
- (2) What other migrant and refugee health services, excluding Companion House and MARRS, does ACT Health liaise with and support, and what has been the result of such engagement?

- (3) Which ACT Health operational areas deal with CALD consumer or community groups, and what has the result of liaising and facilitating the engagement of these operational areas.
- (4) What is the current status of the plan to maintain and publish a multicultural health calendar, which includes religious or other cultural days of significance.

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

- (1) The ACT Health Directorate has established a Multicultural Health Reference Group which has resulted in improved communication and collaboration between the Directorate and other organisations providing services and/or support to people from CALD backgrounds or with limited English proficiency. Membership of this Group includes the ACT Government Office of Multicultural Affairs, Companion House and the Migrant and Refugee Resettlement Service.

The ACT Health Directorate is providing additional financial support to Canberrans with a CALD background through a service funding agreement with Companion House to provide primary health care services, including mental health counselling and advocacy, to refugees and migrants who have experienced torture and trauma.

- (2) As well as the organisations noted above, Ethnic Disability ACT is a member of the Multicultural Health Reference Group, as are the Health Care Consumers' Association and the Mental Health Consumer's Network. All of these organisations advocate for and promote the health and wellbeing of migrants and refugees residing in the ACT and surrounding areas. In addition, many of the non-government organisations funded by the Directorate provide support and services to residents of the ACT with a CALD background.
- (3) Operational areas within Canberra Hospital, Calvary Public Hospital Bruce, University of Canberra Hospital and community health services are the main interface with health consumers, including those from a CALD background. Liaison and engagement with these areas is ongoing and continues to improve access and health literacy amongst CALD consumers.

The Canberra Health Service and ACT Health Directorate's Staff Development Unit makes available diversity training for all staff. This includes various components on cultural competence, cross-cultural communication, and working with interpreters. Information is available to patients/consumers about the availability of interpreter services and Canberra Health Service staff also make people aware of these services. The publication 'Using Health Services in the ACT' strongly promotes the availability of free interpreter services to patients/consumers. This publication, which is available in hard-copy as well as electronically, includes a complementary flyer of key information available in seven languages.

- (4) The ACT Health Directorate has not pursued development of a multicultural health calendar as it was found that the Harmony Day calendar of cultural and religious dates is comprehensive. It includes events held in Canberra such as the National Multicultural Festival and the ACT Multicultural Awards. The Harmony Day calendar provides a brief description of each cultural and religious celebration to assist and enhance users experience with the calendar, which can be viewed at <https://www.harmony.gov.au/events/calendar/>

Health—medical research (Question No 2048)

Mrs Dunne asked the Minister for Medical and Health Research, upon notice, on 30 November 2018:

- (1) In relation to the answer to question on notice No 1720, what is the staffing complement for the Office of Research.
- (2) What are the position titles and classifications.
- (3) Have all the positions in the staffing complement been filled; if not, what is being done to fill them.
- (4) In what areas of medical and health research does current staff have expertise.
- (5) What is the Office's budget for 2018-19.
- (6) Given the budget is funded from existing resources, from which operational areas of ACT Health have budget funds been diverted to fund the Office.
- (7) What research projects (a) has the Office worked on and (b) is the Office working on, to the date on which this question was published in the Questions on Notice Paper.
- (8) What projects have been identified for the Office's future work.
- (9) How are research projects (a) identified, (b) approved and (c) funded.
- (10) Will the Office be solely responsible for conducting or coordinating all medical and health research for the ACT Government; if not, (a) why not and (b) where else will medical and health research be undertaken and (c) what is being done to manage research activities to ensure there are no overlaps or duplication of work.

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

- (1) The Office of Research consists of 34.79 FTE across all areas including the Office of Research and the Clinical Trials Unit.
- (2) The table below shows positions and titles.

Title	Level
Executive Director – Research	E2.4
Executive Director – Research, Policy and Innovation	E2.4
Deputy Executive Director – Research & Director of Health Analytics Research	E1.2
Executive Assistant	ASO5
Unit Head – Ethics and Governance	SOB
Unit Head – Pre-Clinical Research Support Services and Education	HP6
Manager – Intellectual Property and Contracts	SOB
Clinical Trials Manager	SOC

Title	Level
Ethics Manager	SOC
Ethics and Governance Officer	ASO6
Finance Project Officer Clinical Trials	ASO6
Project Officer	ASO5
Ethics and Governance Administrator	ASO4
Receptionist	ASO3
Admin Officer	ASO2
Animal Facility (AF) Supervisor	HS10
Animal Technicians	HSO6
Laboratory Safety Officer	HP3
Clinical Trials Senior Co-Ordinator	RN3.1
Clinical Trial Nurses	RN2
Clinical Trials Research Officers	RO2
Clinical Co-ordinator	HP4

- (3) Not all positions are filled. Recruitment is currently underway for various positions.
- (4) The Executive have internationally recognised expertise in Health and Medical research from pre-clinical to translation into practice. The staff working in the Office have management expertise relative to their unit, including PC2 laboratory and animal facility management, ethics and governance, and conference coordination.
- (5) The Office's Budget for 2018-2019 Financial Year is \$5.31 million.
- (6) The Office of Research has been historically funded, with no additional funds currently diverted to the Office of Research.
- (7) (a) The Office provides overall support for research across ACT Health and Services. It has had a role in the establishment of the Molecular Screening and Therapeutics (MoST) Trial on rare cancers, and the Australian Genomics Cancer Medical Program. Through the Clinical Trials Unit, the Office of Research has been involved in many collaborative and sponsor-driven clinical trials with various clinical departments. The Office conducted a review of Biobanks in ACT Health and has managed funds for the purchase of equipment for lab-based research, as well as managing an animal facility for pre-clinical research.
- (8) The Office of Research has been collaboratively working on the Centre for Innovation in Regional Health Care National Health and Medical Research Council bid with academic partners the Australian National University and University of Canberra, and other stakeholders. The Office has developed an End of Life Care research proposal coordinating efforts across stakeholders in the ACT. This proposal provides one of the foci for the Regional Health Care bid, and represents a proposal funding is sought. The Office has been establishing the Health Analytics Research Centre (HARC) in collaboration with our academic partners focused on health data science, and research methods and analytics in both qualitative and quantitative areas. HARC will enable the conduct of advanced and novel research designs based on efficient and enhanced discovery opportunities.
- (9) Previously research projects were funded at the discretion of the Director-General.

- (10) At this stage, it is envisaged that the Office of Research will co-ordinate and govern efforts on health and medical research involving ACT Health resources. A partnership model is being developed that will determine responsibilities in the future.

**Canberra Hospital—emergency waiting times
(Question No 2049)**

Mrs Dunne asked the Minister for Health and Wellbeing, upon notice, on 30 November 2018:

- (1) In relation to the answer to a question taken on notice on 24 October 2018 relating to The Canberra Hospital, Emergency Waiting Times, Rostered Nurses, if nurses are not rostered to the Emergency Department corridor, how is clinical staffing managed to ensure patients on trolleys in corridors receive timely attention and treatment.
- (2) Are staff diverted from other areas of the hospital to attend to patients on trolleys in the Emergency Department corridor; if not, (a) how is staffing allocated to the area and (b) if staff are called in, (i) how much notice are they given and (ii) what is done to ensure called-in staff are not coming in immediately on the back of a completed shift; if so, what is done to backfill the staffing in those other areas.

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

- (1) The Emergency Department operates on a flexible workforce model, which means nurses are allocated to particular areas of the Emergency Department depending on clinical requirements. Staff may be reallocated to corridors if clinically required when necessary in order to ensure the safe provision of services is maintained throughout the Emergency Department.
- (2) If the demand within the Emergency Department exceeds the Emergency Department's operational capacity to provide a safe provision of service within current resources, additional staff will be allocated to the Emergency Department. For example, staff could be allocated from the Canberra Hospital's relief Nursing and Midwifery Resource Office, which rosters staff to support areas across CHS as required, within the provisions of the ACT Public Service Nursing and Midwifery Enterprise Agreement 2013 – 2017.

**Mental health—awards
(Question No 2050)**

Mrs Dunne asked the Minister for Mental Health, upon notice, on 30 November 2018:

- (1) In relation to the answer to question on notice No 1738, which MLAs were invited to attend the mental health awards in (a) 2013, (b) 2014, (c) 2015 (d) 2017 and (e) 2018.
- (2) If only some MLAs were invited, why were not all MLAs invited.

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

- (1) Mental Health Community Coalition (MHCC ACT) advises that for each of the years (a) 2013, (b) 2014 and (c) 2015 the Minister for Health and Wellbeing was formally invited to present the award certificates to award recipients. In the years (d) 2017 and (e) 2018 the Minister for Mental Health was formally invited to present the award certificates to award recipients.

No other formal invitations to attend were issued. The purpose of the formal invitation to the Minister was to perform the function of presenting awards to award recipients.

- (2) Please refer to the response to Question 1.

The event has always been free, open to the public and advertised through local media, community networks and on social media. MHCC ACT has not kept a record of attendance for these events and cannot verify if, when, or which other MLAs may have attended.

Schools—instrumental music program (Question No 2051)

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 30 November 2018:

- (1) How long has the Instrumental Music Program (IMP) been in operation.
- (2) On what basis is a school offered an IMP.
- (3) What is the annual cost for the (a) school, (b) student and (c) Education Directorate.
- (4) If there is no annual cost for those identified in part (3), who funds the IMP.
- (5) How are the fees determined.
- (6) What is the intent of the program.
- (7) What criteria is used to determine which school(s) is/are offered an opportunity to participate in the IMP.
- (8) Is there a maximum number of schools and/or students able to participate in any given year.
- (9) From where are the instruments sourced and what financial arrangements apply to their acquisition.
- (10) Is an assessment done of the program; if so, (a) what assessment is done, (b) by whom, (c) how often and (d) what measures are used.

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

- (1) The Instrumental Music Program (IMP) began in 1973.

- (2) Every ACT public primary school is offered the opportunity annually to be part of the IMP. Further opportunities are also offered to smaller high schools without a school based band program in operation.
 - (3)
 - a) The cost for the school depends on the program(s) undertaken by the school.
 - b) The cost for students is determined by each school. Costs to students depend on the cost of IMP classes, the cost of reeds, oils and other equipment required for instruments, the cost of music stands, and the cost of excursions.
 - c) The cost to the Directorate is \$1.399m, plus costs associated with the use of two vehicles.
 - (4) As per (3)
 - (5) The fees are determined by the Instrumental Music Program Principal/Business Manager to ensure there are enough operating funds to maintain and purchase equipment.
 - (6) The IMP aims to:
 - enhance the education of children through their involvement in a quality music program;
 - provide a strong motivation for children to continue to engage in music activities;
 - develop cooperative learning, social interaction and performance skills;
 - develop in children an awareness and appreciation of many musical styles and genres;
 - develop instrumental and ensemble skills; and,
 - encourage children to strive for excellence.
 - (7) Each year all primary schools are invited to participate in the program. Schools currently participating are guaranteed continuity of the program. Schools also evaluate their enrolment figures to consider demographics in relation to maintaining the program based on their enrolment numbers.
 - (8) The maximum number of schools depends on the demand and matching resources to deliver the program. Resource demands can depend based on the program chosen by the school.
 - (9) The instruments are purchased from local music stores whenever possible. Instruments are funded from the payments made by each school for their access to the program. Instruments are purchased outright.
 - (10) Information regarding the IMP is placed on the IMP website.
-

Schools—funding (Question No 2052)

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 30 November 2018:

- (1) What is the process for establishing a budget for each government school and who is involved in the process.

- (2) Is each principal required to submit a budget; if so, (a) under what categories can funding be applied for, (b) when must a budget be submitted and to whom, (c) who makes the final determination as to the total funds provided to each school, (d) how are they acquitted and (e) what flexibility does a principal have to reallocate funds within the school budget.
- (3) Within each school, is there a budget for provision of separate classes for (a) gifted and talented students, (b) students with physical disabilities, (c) students with intellectual disabilities and (d) students with none of the above but who have identified complex behaviours; if so, what is the formula used to determine annual amounts.
- (4) If there is no separate budget allocation for any or all of the categories in part (3), how are these competing needs funded within the general school budget.

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

- (1) The Student Resource Allocation (SRA) was developed to reflect the ACT Government's commitment to implement a student needs-based school funding model for ACT public schools. Individual schools are provided budget through SRA Statements.

Schools receive an SRA Statement twice each year. In September, the projected allocation is provided to schools for the purposes of planning for the following year. In April, the actual allocation is provided following confirmation of student enrolments through the February Census.

Upon receipt of the school's SRA allocation, the principal works in consultation with the business manager, school leaders and the School Board to determine the best allocation of resources according to the projected school enrolments. This includes allocating staff to classes, development and implementation of school programs, and the purchase of resources as needed.

Strategic Finance Branch within the Directorate coordinates with other line areas to collate relevant data to calculate funding for individual schools.

- (2) (a-c) There are three key components reflected in each school's SRA Statement as follows:

Core Allocation which includes per student funding, stages of schooling and base funding.

Loading Allocations for students with a low socio-economic status background, students with English as an additional language or dialect and students with disability

Other Allocations relating to Continuum of Educational Support, Aboriginal Torres Strait Islander Support Program (Cultural Integrity), Transition and career support, Preschool, School operational allocation and Other (e.g. new school allowance; additional administration support)

(https://www.education.act.gov.au/school_education/sra-program)

Refer question 1, paragraph (2) in relation to the timing of SRA Statements to schools. For each program allocation, there is an allocation methodology that calculates funding for individual schools.

- (d) The School's Board monitors the school budget, and a financial summary is provided in the school's annual school board report.
- (e) Schools are provided the flexibility to consider the best use of their total resources to meet the needs of all students, while working to implement the Directorate's strategic goals.
- (3) (a) Schools are provided the flexibility to manage resources for gifted and talented students from the Core Allocation. As per the Directorate's Gifted and Talented Students Policy, this includes the provision of developmentally appropriate educational provisions and strategies for all gifted and talented students enrolled at the school. This may include partnerships with external agencies.
- (b)-(c) Schools resourcing based on settings and individual student need as identified by the Student-Centred Appraisal of Need (the Appraisal or SCAN). This allocation is provided through Student with Disability loading.
- (d) Schools are provided funding through Continuum of Educational Support (CES) for high school (years 7-10) students who are 'at risk' or who have disengaged from their education. The CES allocation takes into consideration a base allocation, student enrolment and the school SFI index.
- (4) Schools are provided the flexibility to consider the best use of their total resources to meet the needs of all students.
-

Schools—students with complex needs (Question No 2053)

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 30 November 2018:

- (1) Can the Minister list the number of students, by school, identified as having complex needs and challenging behaviours without an accompanying intellectual deficiency in the (a) 2014, (b) 2015, (c) 2016, (d) 2017 and (e) 2018 calendar years.
- (2) Can the Minister provide details of additional funding provided to schools who have students categorised as having complex needs and challenging behaviours for those years and schools listed in part (1).
- (3) Are students with complex needs and challenging behaviours but without an intellectual deficiency assigned to a special learning unit or equivalent or enrolled in a mainstream class according to age; if so, can the Minister categorise by the number of students in each school and whether in a unit (or equivalent) or in mainstream classes.

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

- (1) This information is not available as the Education Directorate does not have a dataset that captures the broad definition of students with complex needs and challenging behaviours, as defined by the Expert Panel Report on Students with Complex needs and Challenging Behaviours:

“Any pervasive behaviour, or set of behaviours, regardless of cause (or even without any apparent or identified cause) which disrupts the capacity of the person, or other persons, to learn within the school environment, and which requires targeted or personalised interventions”.

As stated in the Expert Panel Report, there is a broad overlap between students falling within this definition and students with a disability or special educational needs, however the two groups are not identical. Other factors such as exposure to trauma, family violence, socio-economic disadvantage and other difficult circumstances may contribute to students presenting with complex needs and challenging behaviours, while causes of challenging behaviour displayed by some students may remain unclear.

- (2) Schools are funded to meet the needs of all students. The school leadership determine how to use available resources to provide staffing and the programs and supports required for all students. Schools are able to access further supports through Education Support Office, including Network Student Engagement Teams (NSET)
- (3) Only students who meet the ACT Student Disability Criteria for Intellectual Disability and Autism are able to access a small group learning support unit. Students with complex needs and challenging behaviours who do not meet ACT Student Disability Criteria are supported as part of their mainstream peer group with schools making the necessary adjustments and providing access to appropriate interventions.

Schools—preschool enrolments (Question No 2054)

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 30 November 2018:

- (1) How many preschool places are there in ACT government schools for the 2019 school year.
- (2) What is the total number for each school.
- (3) How many applications for preschool enrolment for the 2019 school year have been received.
- (4) Of the applications received, how many have been accommodated in their preschool of first choice.
- (5) If not accommodated in their preschool of first choice, what alternatives are offered to parents.
- (6) If a placement is not available in a local priority enrolment area (PEA) school for preschool, does that jeopardise a placement for a child in the primary school.
- (7) Can a parent apply for a placement in a preschool outside their PEA.

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

- (1) There are approximately 4 850 ACT preschool places available with the number of sessions at each preschool ranging from one to nine. Please see Attachment A for more detail.
- (2) Please see Attachment A for approximate number of preschool places for each school. This number is based on the physical capacity of the classroom space and the staffing ratios. Under the *Education and Care Services National Law (ACT) Act 2011*, preschool class sizes are set at a maximum of 22 students.
- (3) As of 12 December 2019, there were approximately 4 663 applications. This is an estimate due to potential duplicate applications received from parents.
- (4) Although enrolments for preschool are received through the Education Directorate electronic enrolment system, applications for preschool enrolment are forwarded directly to schools for consideration. Schools offer preschool places and forward any applications for enrolment that cannot be accommodated to the next preference preschool or preschool with capacity.
- (5) Preschool is not a compulsory year of schooling. Where there is excess demand for places from students within the school's PEA, enrolments may be referred to other preschools within the local area that have capacity. This may occur for children who are:
 - resident within the PEA
 - not resident within the PEA yet have siblings concurrently enrolled at the school
 - resident in the shared enrolment zone for the school.
- (6) While schools will attempt to accommodate preschool students who reside in the school's PEA, due to the maximum class sizes defined by the *Education and Care Services National Law (ACT) Act 2011* schools may not be able to accommodate all preschool students.

If students are offered a preschool place elsewhere, they are guaranteed a kindergarten place in their PEA school. ACT K-12 students living within the PEA of a school are guaranteed a place at that school regardless of when they apply or what preschool the student attended previously.
- (7) Families who live in a suburb outside of the PEA are deemed to be living *Out of Area Enrolment* (OAE) area. They are able to apply for a preschool that is located outside their PEA at any time however they will only be granted a place if there is sufficient capacity within the school to accommodate OAE enrolments. When seeking an OAE school it is important that families provide evidence to support their application when completing the online application form.

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

Schools—suspension guidelines (Question No 2055)

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 30 November 2018:

- (1) When did public consultation on the ACT Education Directorate's draft guidelines for Suspension, Transfer or Exclusion of students in ACT schools close.

- (2) How many submissions were received and from whom were submissions sought and/or received.
- (3) How was the consultation period publicised.
- (4) When will the guidelines be finalised.
- (5) When will the guidelines be made public.

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

- (1) The consultation closed on 31 August 2018.
- (2) Seventeen submissions were received, responses from a range of individuals and peak bodies, refer table 1 and table 2 below.

Table 1

	Submission received from:
1	ACT Council of Parents and Citizens Association (ACT P&C)
2	ACT Health Community Paediatric and Child Health Service
3	ACT Principals Association (ACTPA)
4	Australian Education Union (AEU)
5	Anglicare Youth Education program
6	Child and Adolescent Mental Health Teams
7	Public Advocate and Children & Young People Commissioner
8	EDU Network Student Engagement Teams
9	EDU School Operations
10	Individual (EDU employed)
11	Individual (EDU employed)
12	Individual (community member)
13	Individual (community member)
14	Youth Advisory Council
15	Youth Coalition
16	Aboriginal & Torres Strait Islander Education Consultative Group
17	EDU Deputy Principal

Submissions sought: To ensure a range of stakeholders were aware of the consultation, letters were sent to 38 organisations or individuals.

Table 2

	Submissions sought from
1	Aboriginal & Torres Strait Islander Education Consultative Group
2	Aboriginal & Torres Strait Islander Elected Body
3	ACT Association of Independent Schools (CEO)
4	ACT Association of Independent Schools (Strategic Programs)
5	ACT Council of Parents and Citizens Association (ACT P&C)
6	ACT Health Community Paediatric and Child Health Service
7	ACT Policing
8	ACT Principals Association (ACTPA) (co-chair)
9	ACT Principals Association (ACTPA) (co-chair)
10	Anglicare Youth Education program
11	ANU, Research School of Psychology
12	Association of Parents & Friends of ACT Schools (APFACTS)

	Submissions sought from
13	Australian Education Union (AEU)
14	Barnados
15	Carers ACT
16	Catholic Education Office
17	Child and Adolescent Mental Health Teams
18	Child Youth Protection Services
19	Community Relations and Funding Support team
20	EDU Aboriginal and Torres Strait Islander Education
21	EDU Governance and Legal Liaison
22	EDU Network Student Engagement Teams
23	EDU School Operations
24	EDU All Staff <i>via Schools Bulletin</i>
25	Gugan Gulwan Youth Aboriginal Corporation
26	Junction Youth Health Service
27	Marymead
28	Menslink
29	Onelink
30	Principal Specialist School
31	Principal High School
32	Principal Primary School
33	Principal College
34	Public Advocate and Children & Young People Commissioner
35	Winnunga Nimmityjah Aboriginal Health Service
36	Woden Community Services
37	Youth Advisory Council (YAC)
38	Youth Coalition

- (3) The consultation was publicised through writing to key stakeholders, peak bodies and relevant areas of Government and the Non-Government sector. The consultation documents were placed on the Education Directorate website. This was advertised to schools through the Schools Bulletin (an electronic notification published weekly). Through the bulletin, schools were provided with a newsletter article which they were able to include in their school newsletter to inform their school community.
- (4) It is anticipated the guidelines will be finalised in the first half of 2019.
- (5) It is anticipated the guidelines will be made public in the first half of 2019.

Schools—International Baccalaureate (Question No 2056)

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 30 November 2018:

- (1) Which ACT government schools offered the International Baccalaureate to students in the academic years of (a) 2016, (b) 2017 and (c) 2018.
- (2) How many students, broken down by school, took part in the International Baccalaureate in ACT government schools in the academic years of (a) 2016, (b) 2017 and (c) 2018.

- (3) Does the Territory incur any additional cost associated with students participating in the International Baccalaureate; if so, broken down by school, how much was incurred by the Territory in the academic years of (a) 2016, (b) 2017 and (c) 2018.
- (4) Is additional teacher training or specialised facilities required for the teaching and assessment of the International Baccalaureate in ACT government schools; if so, broken down by school, (a) how is the additional cost of this training and facilities assessed and (b) what was the total cost incurred by the Territory in the academic years of (i) 2016, (ii) 2017 and (iii) 2018.

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

- (1) The table below shows the ACT government schools who offered the International Baccalaureate (IB) for academic years 2016-2018, and the number of students who took part in the IB.

	2016	2017	2018
Canberra College	9	8	N/A
Forrest Primary School	525	515	550
Gold Creek School (K – 10)	N/A	N/A	1273
Melba-Copland School	409	421	469
Miles Franklin Primary School	534	570	590
Narrabundah College	110	136	151
North Ainslie Primary School	578	601	644
Red Hill Primary School	710	689	725
Telopea Park School (7-10)	837	856	852

- (2) As per (1).
- (3) The decision to deliver and fund IB programs is made at the school level and funding is allocated from within school budgets.
- (4) All teachers delivering the IB program and the school principal take part in IB training including documentation and assessment procedures. As the decision to deliver IB programs is made at the school level, funding is allocated from within school budgets for any teacher training and resources.

Disability services—grants (Question No 2057)

Ms Lee asked the Minister for Disability, upon notice, on 30 November 2018:

- (1) Which disability groups have applied for funding under the Government's National Disability Insurance Scheme (NDIS) Transition Integrated Service Responses budget allocation.
- (2) How much, broken down by group, has been distributed from the Government's NDIS Transition Integrated Service Responses to assist disability groups organisations falling through the cracks.
- (3) Can the Minister provide the criteria used to assess eligibility for these grants.

- (4) On what basis, broken down by group, were the unsuccessful applicants denied funding.

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

- (1) As outlined in response to Question No 1550 on 16 July 2018, the Integrated Service Response program provides short term support and coordination for people who have high or complex needs. It does not provide funding for disability groups.
- (2) As outlined above, the Integrated Service Response program does not provide funding for disability groups.
- (3) The Integrated Service Response program is not a grant program. The program is for people with disability with intensive support needs, who need coordination of mainstream services because their wellbeing and stability in the community is threatened by crisis, complexity or changing support needs. The program is for people who are participating in the NDIS or who meet the disability eligibility requirements for the NDIS. Funding for the provision of disability support may also be provided to people who meet the disability criteria for the NDIS but are found ineligible due to Australian residency requirements. The program guidelines are available on the Community Services Directorate's website:
https://www.communityservices.act.gov.au/disability_act/integrated-service-response-program.
- (4) Whilst the program provides funding for people with disability to purchase emergency supports and services from non-government providers, not all people accepted into the program require funding to purchase emergency supports. Some people require coordination of mainstream services because their wellbeing and stability in the community is threatened by crisis, complexity or the changing nature of their support needs. As of 3 December 2018, five referrals have not been accepted for the program and these people have been provided advice regarding other options that may suit their requirements.

Schools—asbestos (Question No 2058)

Mr Wall asked the Minister for Business and Regulatory Services, upon notice, on 30 November 2018 (*redirected to the Minister for Employment and Workplace Safety*):

- (1) When was WorkSafe ACT first informed of the potential presence of asbestos containing materials (ACM) at Harrison School and who provided this information.
- (2) What actions did WorkSafe ACT initiate once they became aware of the potential presence of ACM at Harrison School.
- (3) When was WorkSafe ACT notified of the results of the asbestos assessment.
- (4) What action did WorkSafe ACT take following the positive identification of ACM at the Harrison School.

- (5) What work has been done by WorkSafe ACT to determine the origin of the ACM.

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

- (1) WorkSafe ACT was first informed of the potential presence of ACM on 29 August 2018 by the Education Directorate.
- (2) WorkSafe ACT liaised with the Education Directorate and Harrison School to ensure appropriate procedures were being followed and that protective measures such as fencing were undertaken. Liaison with the licensed asbestos assessor was also commenced.
- (3) Initial results were provided 29 August 2018 with subsequent testing results provided at later dates as further testing was undertaken.
- (4) WorkSafe ACT has had extensive liaison with the Education Directorate and Harrison School to ensure school employees, parents and pupils were kept informed of the relevant ACM situation and associated risks. This included discussions surrounding sampling methodology, testing and remediation action with all relevant stakeholders including the Chief Health Officer and a licensed asbestos assessor and removalist.

An investigation into the possible source and identifying any other contaminated areas was also undertaken.

- (5) A full investigation was initiated into the possible source of the ACM and whether the material had been provided anywhere else. WorkSafe ACT's investigation is close to finalisation.

Housing—land tax (Question No 2059)

Ms Le Couteur asked the Treasurer, upon notice, on 30 November 2018:

- (1) Given that the FAQ on land tax at www.revenue.act.gov.au/land-tax?result_1060955_result_page=6 states that "Properties occupied for nil or nominal rent" are exempt, can the Treasurer provide more information as to what this means in practice.
- (2) If the tenant pays only essential outgoings such as rates, water and insurance would that be regarded as "nominal rent".

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

- (1&2) The ACT Revenue Office will take into account the overall arrangement (including all payments or non-payments made by a tenant) in determining whether or not nominal rent is being paid. Ordinarily to be eligible for the nominal rent exemption, the outgoings paid must only cover the cost of rates, repairs, maintenance or insurance. Payments for other expenses, such as the mortgage, will be taken to be rent and land tax will apply. Further information about the land tax exemption where properties are occupied for 'nil or nominal rent', and what this means in practice is available:

- a. on the ACT Revenue Office website: http://www.revenue.act.gov.au/land-tax?result_1060955_result_page=5
- b. from the ACT Revenue Office Circular:
http://www.revenue.act.gov.au/__data/assets/pdf_file/0017/1222226/LTA001.1.pdf

The ACT Revenue Office is also available to assist with questions from the public that may not be covered by these two information sources. ACT residents can submit their questions to the ACT Revenue Office using the online contact form <https://www.revenue.act.gov.au/contact-us>, by mail or phone.

Children and young people—care and protection (Question No 2060)

Ms Le Couteur asked the Attorney-General, upon notice, on 30 November 2018:

- (1) Given that in the past in Victoria and New South Wales (NSW) children and babies had convictions for offences such as “neglect”, “being in need of protection” or “being in moral danger” recorded against them. Are there cases of this happening in the ACT either before or after self-government.
- (2) Given that in NSW the convictions were often referred to as status offences, prior to self-government in the ACT, were ACT children subject to these NSW laws that enabled status offences to be recorded against them.
- (3) Were there any similar Commonwealth laws in place that were applied to children and young people in the ACT.
- (4) Were there ever any children or young people in the ACT who were convicted of offences that related to being removed from the care of their families; if so, can the Attorney-General provide any information on their cultural background, specifically if they were Aboriginal and Torres Strait Islander.

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

- (1) Former legislation governing care and protection matters allowed for children and young people to have certain care and protection offences recorded against them. Prior to self-government, this approach applied in the ACT.

Under the *Child Welfare Ordinance 1957*, a child or young person could be ‘charged with being, a neglected child or an uncontrollable child or young person’ (see, for example, Part III, section 12(b)). This reflects a historic view of child protection matters and predates contemporary approaches in which the rights and interests of the child or young person are paramount. This Commonwealth legislation applied to the ACT care and protection context.

The *Child Welfare Ordinance 1957* was repealed by the *Children’s Services Act 1986*, which articulated a shift in how child protection offences were understood. Section 139 of the *Children’s Services Act 1986* addresses neglect of children and reframes this as an offence against the child or young person by an adult.

The *Children’s Services Act 1986* was repealed by the *Children and Young People Act 1999*, which determines that ‘children and young people have the right to be protected

from abuse and neglect' (Chapter 2, section 10). This approach is maintained in the current ACT legislation, the *Children and Young People Act 2008*.

As a human rights jurisdiction, the ACT Government's child-centred approach to care and protection is guided by the *Human Rights Act 2004*. Section 11 of the Act deals with the protection of family and children, supporting an understanding that '[e]very child has the right to the protection needed by the child because of being a child'.

This child-centred approach is further supported by international human rights standards, expressed in United Nations agreements including the *Convention on the Rights of the Child* and the *Universal Declaration of Human Rights*. These instruments form the basis for contemporary views on acting in the best interests of the child or young person, and the right to protection of family.

- (2) The relevant legislation in NSW was the *Child Welfare Act 1939* (NSW) (now repealed). Until 1957, (when the *Child Welfare Ordinance 1957* commenced) children in the ACT were subject to the NSW Act.
- (3) See answer to Question 1 as to the position in the ACT.
- (4) It is not feasible to check all of the electronic and manual data to answer this question. (The electronic case management system in ACT Courts and Tribunal does not record cases prior to the 1970s.)

ACT public service—activity-based workplaces (Question No 2061)

Ms Le Couteur asked the Chief Minister, upon notice, on 30 November 2018:

- (1) In regard to Autism Spectrum Disorder (ASD) and activity-based working in the public sector, i.e. systems where employees have no fixed desk, but instead use laptops and lockers to relocate to different desks daily based on staffing and workflow, what information has the Chief Minister taken into account on the impact of activity-based working on people on the autism spectrum.
- (2) What confidence does the Chief Minister have that ASD staff within relevant agencies are aware of being on the autism spectrum and/or are diagnosed.

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

- (1) The ACT Government is committed to embracing diversity and providing safe and inclusive working environments for all staff.

The ACT Government's approach to supporting neurodiversity requirements of staff, through design considerations and reasonable adjustment processes, has been based on advice from experts and literature reviews.

It has been demonstrated that environmental stimuli pose challenges to individuals on the autism spectrum. I understand that both the Civic and Dickson office blocks have been designed with a high degree of acoustic treatment and that visual stimuli will be reduced through fit-out design. In addition, dedicated quiet spaces are available for all staff to access.

Consultations are occurring through the ACT Public Service Inclusion Practitioners Network, to seek feedback about how best to encourage neurodiverse staff to self identify and engage with the available support.

At an individual level, staff may access workstation assessments to determine what reasonable adjustment – if any – is required to support their transition into a new environment. Whilst it is desirable to approach these processes from a position that seeks to encourage flexible work practices for all staff so that the benefits of flexibility are available to all, the advice of expert and independent qualified practitioners will be paramount in any decision about reasonable adjustments and individual case management.

- (2) It would be reasonable to expect that while many staff would be aware of any such diagnosis, that there would be an indeterminate proportion of the workforce that remain undiagnosed.

Alexander Maconochie Centre—dietary options (Question No 2062)

Ms Le Couteur asked the Minister for Corrections and Justice Health, upon notice, on 30 November 2018:

- (1) Are people able to continue a nutritious vegetarian diet in (a) Dhulwa Mental Health Unit and (b) the Alexander Maconochie Centre (AMC).
- (2) In relation to Dhulwa Mental Health Unit and the AMC, must people have a religious need in order for vegan or vegetarian options to be provided at each meal and are there any conditions for this provision.

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

1. a) Please refer to the response to Question on Notice 142 from the Health Directorate 2017-18 Annual and Financial Report Hearings.
b) Yes, there is at least one vegetarian option available to detainees for each meal at the Alexander Maconochie Centre (AMC).
2. In relation to Dhulwa Mental Health Unit, please refer to the response to Question on Notice 142 from the Health Directorate 2017-18 Annual and Financial Report Hearings.

Detainees at the AMC are able to continue or commence a nutritious vegan diet, provided they submit a dietary request via ACT Health.

It is not necessary to establish a religious need in order to access vegetarian or vegan diets in the AMC. Religious requirements such as halal meat is available to detainees who advise ACT Corrective Services. Excluding the submission of a dietary request, there are no other conditions.

**Hospitals—dietary options
(Question No 2063)**

Ms Le Couteur asked the Minister for Health and Wellbeing, upon notice, on 30 November 2018:

In relation to institutions where people may not have full dietary options, are people able to continue a nutritious (a) vegetarian and (b) vegan diet in (i) The Canberra Hospital, (ii) the Calvary Public Hospital and (iii) the University Of Canberra Hospital

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

Refer to the response to Question on Notice 140 from the Health Directorate 2017-18 Annual and Financial Report Hearings.

**Justice—witness intermediaries
(Question No 2064)**

Ms Le Couteur asked the Attorney-General, upon notice, on 30 November 2018:

Has the ACT Government made an in-principle commitment to the use of witness intermediaries for vulnerable victims in the ACT; if so, can the Attorney-General advise when this initiative will be progressed.

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

In June 2018, the ACT Government accepted in-principle the recommendation of the *Royal Commission into Institutional Responses to Child Sexual Abuse* to establish an intermediary scheme for prosecution witnesses with a communication difficulty in child sexual abuse prosecutions.

The ACT Government is undertaking research and scoping work to progress its implementation, as well as continuing to consult on the scheme.

**Tourism—dietary options at events
(Question No 2065)**

Ms Le Couteur asked the Minister for Tourism and Special Events, upon notice, on 30 November 2018:

In relation to sustainable food consumption and Events ACT policy, is it policy to provide (a) vegetarian, (b) vegan and (c) gluten-free food at catered events.

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

The policy at Events ACT is to ensure a variety of food offerings are available for event attendees and visitors.

**Bimberi Youth Justice Centre—dietary options
(Question No 2066)**

Ms Le Couteur asked the Minister for Children, Youth and Families, upon notice, on 30 November 2018 (*redirected to the Acting Minister for Children, Youth and Families*):

- (1) In relation to institutions where people may not have full dietary options, are children able to continue a nutritious (a) vegetarian and (b) vegan diet in the Bimberi Youth Justice Centre.
- (2) Must children have a religious need in order for vegan or vegetarian options to be provided at each meal and are there any conditions for this provision.

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

- (1) Please refer Question (1) (a) and (b) to the response provided to Question on Notice 139 from the Annual Report Hearings.
 - (2) Please refer Question (2) to the response provided to Question on Notice 139 from the Annual Report Hearings.
-

**Canberra Institute of Technology—cookery courses
(Question No 2067)**

Ms Le Couteur asked the Minister for Higher Education, upon notice, on 30 November 2018 (*redirected to the Minister for Vocational Education and Skills*):

- (1) In relation to courses on cooking at CIT, certificate or otherwise, do these courses include consideration of the environmental impacts of how the food is grown, transported and prepared.
- (2) Do these courses include nutritional information, including about plant based foods.
- (3) Does this education include consideration of the impacts on animal welfare of how the food is grown, transported and prepared.
- (4) Are all students instructed in preparing vegan and vegetarian meals.
- (5) Are there course that focus specifically on vegan and vegetarian meals.

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

- (1) There is a significant amount of consideration given to the food chain including food footprint, paddock to plate concepts, food safety and environmental impact of work practices including compliance with environmental regulations on cooking courses at CIT.

Students also learn the skills and knowledge required to source and use current and emerging information relating to ethical issues (e.g. regenerative farming, sustainable

agriculture and humanely raising of livestock) particularly relevant to the hospitality industry.

Additionally, students have the opportunity to participate on an Endeavour Leadership program where they investigate and experience best practice in food networks in our sister city, Wellington, New Zealand.

- (2) Nutrition is part of two of the qualification's core subjects and their performance outcomes. Students learn the skills and knowledge to enable them to prepare food and develop menus that meet the requirement of dietary needs for health, lifestyle, culture or special dietary needs.

CIT Solutions also run a plant based nutrition workshop. This course promotes whole good plant-based diets for health, ethical and environmental reasons.

- (3) Refer to response to question 1.

- (4) All students are instructed in the preparation of vegan and vegetarian meals. As part of the learning outcomes for the Commercial Cookery qualifications, the student is required to demonstrate knowledge of the characteristics and ingredients of special diets (including vegan and vegetarian meals) that form part of Australian contemporary eating regimes.

Students must also demonstrate the practical skills required to produce a range of vegan and vegetarian dishes.

- (5) There are no specific subjects in training packages that CIT work to that are focused specifically on vegan and vegetarian meals however, students have the opportunity to prepare vegan and vegetarian meals across a range of learning activities, embedded into subjects.

Schools—dietary information (Question No 2068)

Ms Le Couteur asked the Minister for Education and Early Childhood Development, upon notice, on 30 November 2018:

- (1) Do all school students receive education about healthy food and food production in our schools; if so, what is the stage of schooling, for example, primary, high and college.
- (2) Does this education include consideration of the environmental impacts of how the food is grown, transported and prepared; if so, what is the stage of schooling, for example, primary, high and college.
- (3) Does this education include nutritional information, including about plant based foods; if so, what is the stage of schooling, for example, primary, high and college.
- (4) Does this education include consideration of the impacts on animal welfare of how the food is grown, transported and prepared; if so, what is the stage of schooling, for example, primary, high and college.

- (5) Are all students who prepare food at school instructed in preparing vegan and vegetarian meals; if so, what is the stage of schooling, for example, primary, high and college.
- (6) Are school canteens encouraged to provide plant based foods as part of their menus; if so, what is the stage of schooling, for example, primary, high and college.

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

The Australian Curriculum provides a framework for all young Australians to understand and value the importance of good nutrition for health and wellbeing. The scope of learning in food and nutrition education is reflected in relevant content from across the Australian Curriculum (K-10). Nutrition and food education are presented in bands of schooling. In Foundation/Kindergarten– year 6, the curriculum content is described as nutrition, health and wellbeing. In Years 7–10, it is described as home economics. College students can also select Board of Senior Secondary Studies (BSSS) accredited courses in food technology.

The Australian Curriculum addresses learning about food and nutrition education in two ways:

- as content descriptions and elaborations as in Health and Physical Education (HPE), Science and Technologies, noting in HPE there is a food and nutrition focus area, and in Design and Technologies it is delivered within a technologies context (food specialisations).
 - it is identified in content elaborations in other learning areas, such as Mathematics.
- (1) Yes. These topics are included in the Australian Curriculum (K-10), which all ACT public schools are required to teach, assess and report on.
 - (2) Yes. There are a range of programs that schools can chose to introduce including the Stephanie Alexander Kitchen Garden Program aimed primarily at Preschool to year 6 and the ACT Government's Actsmart Program for all stages of schooling, which focus on Environmental Sustainability. College students can also select BSSS accredited courses in food production which include consideration of the environmental impacts of how the food is grown, transported and prepared.
 - (3) Yes. Relevant nutrition education about plant based foods is included in the HPE Australian Curriculum Learning Area. High school students have the opportunity to further learn about healthy food and nutrition in specialist food technology classes. College students can also select BSSS accredited courses in food technology.
 - (4) Yes. Relevant education about the impacts on animal welfare of food production techniques is included in the HPE Australian Curriculum Learning Area across primary and high school stages of schooling. High school students have the opportunity to further learn about healthy food and nutrition in specialist food technology classes. College students may select BSSS accredited sciences that include animal welfare elements.
 - (5) The inclusion of the preparation of vegan and vegetarian meals as part of student learning is a school based decision.
 - (6) All ACT public schools are required to adhere to the ACT Public School Food and Drink Policy. This policy promotes a consistent, whole school approach to the

provision and sale of healthy food and drinks in ACT public schools. The policy uses a traffic light system to identify healthy and unhealthy foods. All schools are encouraged to increase green foods on the menu and decrease red and amber foods.

**Municipal services—recycling
(Question No 2069)**

Ms Le Couteur asked the Minister for City Services, upon notice, on 30 November 2018:

- (1) Is all the soft plastic that people are collecting and taking to their local supermarkets being used for road base; if not, (a) what percentage of soft plastic that people are collecting and taking to their local supermarkets is being used for road base and (b) what is happening with the remaining soft plastic.
- (2) Is there a market in the ACT for recycled soft plastic; if so, (a) which companies are currently purchasing recycled soft plastics and (b) what are these companies doing with the plastic.
- (3) Are all the glass bottles that people are putting in their yellow bins being used for road base; if not, (a) what else are the glass bottles that people are putting in their yellow bins being used for and (b) what is the percentage breakdown for the uses of the glass bottles that people are putting in their yellow bins.
- (4) Is there a market for recycled glass in the ACT.
- (5) Are any of the companies purchasing the glass actually using them to make new bottles/beverage containers.
- (6) What proportion of the ACT's second hand glass is only able to be sold as glass fines.
- (7) What proportion of these glass fines are being used in road base in the ACT.
- (8) Are all the Inkjet cartridges, toner cartridges and toner bottles that people drop off at designated businesses and government outlets being used for road base; if not, (a) what percentage of inkjet cartridges, toner cartridges and toner bottles that people drop off at designated businesses and government outlets are being used for road base and (b) what is the percentage breakdown of inkjet cartridges, toner cartridges and toner bottles that people drop off at designated businesses and government outlets usage.
- (9) Who is the ACT's hard plastic and beverage containers being sold to and what are they using the hard plastic and beverage containers for.
- (10) What proportion of recycled plastic is being reused by Replas for plastic street furniture or building materials,
- (11) Who is the ACT's paper and cardboard being sold to.
- (12) Have other uses been considered for all of the mentioned materials in parts (1) to (11).

- (13) What processes were involved when deciding the usage of these materials.
- (14) How much of the ACT's waste is recycled in Australia.
- (15) Is any of the ACT's waste going to recycling markets in China; if so, (a) how much and (b) what is the waste being recycled into.

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

- (1) The management of the soft plastics taken to private entities such as supermarkets is managed under commercial arrangements. TCCS are unable to provide the details of their arrangements.
- (2) TCCS are not currently aware of any local businesses reprocessing soft plastics as inputs for product manufacturing in the ACT.
- (3) Glass collected through household recycling bins and received at the Hume materials recovery facility (MRF) is being converted to sand products for use in road and construction projects, and not going to bottle-to-bottle markets. Some of the glass recovered through the ACT container deposit scheme (CDS) is currently being used in bottle-to-bottle markets, however there is limited national demand from these markets at this point in time. The ACT government is working with industry to identify alternative uses for recycled glass from kerbside collection and the CDS.
- (4) Yes. Glass sand product has already been used in the ACT for applications such as road base, including through various technical tests and trials over the last couple of years.
- (5) Yes, glass recovered through the ACT CDS is currently being used in bottle-to-bottle markets, however there is limited national demand from these markets, and alternative uses must be developed for recycled glass collected as part of the kerbside collection process.
- (6) All glass collected in household recycling bins and processed by the Hume MRF is currently being converted to sand products. Container deposit schemes in NSW as well as the ACT will continue to supply the limited demand for bottle-to-bottle glass in Sydney, making it even more important to develop sustainable local markets for glass sand from kerbside services.
- (7) TCCS do not currently have the detailed breakdown of reuse of the glass fines. TCCS can confirm that the use of glass fines is not limited to road base applications in the ACT, for example the contractor is also currently supplying glass fines to asphalt markets and to a lesser extent into construction products such as non-structural concrete.
- (8) The management of the recycled toner cartridges taken to the public drop of locations is managed under commercial arrangements. TCCS are unable to provide the details of these arrangements.
- (9) Rigid plastic containers are being sold to re-processors, who convert the existing containers into flakes and pellets that can be used to manufacture a range of new products. PET (soft drink bottles) and HDPE (milk bottles) generally go to Australian

bottle-to-bottle markets. TCCS are currently unaware of any plastics reprocessing businesses operating within the ACT.

- (10) The arrangements between Replas and the MRF contractor are commercial in nature, and TCCS are unable to provide this information.
- (11) Recycled paper and cardboard from the Hume MRF is currently being sent to the closest facility being the VISY plant in Tumut, NSW.
- (12) The ACT Government is continually looking for new and innovative opportunities to work with the recycling industry across Australia. Currently the opportunities are limited by the market demand. The government is focussed on creating opportunities for the market to continually expand its ability to recycle more products.
- (13) As the management of the MRF is contracted out, the decision on how to best reuse materials created through the recycling processes are commercial in nature, and therefore TCCS are unable to provide this advice.
- (14) TCCS does not collect this information, however based on an understanding of the composition of ACT waste and the operation of recycling markets it is understood the vast majority of ACT waste is processed in Australia.
- (15) TCCS does not collect information on the final destination of all recycled materials that leave the Territory. Based on an understanding of the composition of ACT waste and the operation of recycling markets it likely that only a small percentage of the ACT's waste is exported from Australia.
 - a) In terms of the material processed by the Hume MRF a small proportion of material, less than 5%, is potentially exported to international markets, including Asian markets. This includes mixed plastics, and tin plate material.
 - b) TCCS is not able to provide this advice.

ACT Ambulance Service—crews (Question No 2070)

Mrs Jones asked the Minister for Police and Emergency Services, upon notice, on 30 November 2018:

- (1) Following the review of the ACT Ambulance Service minimum crew level, what changes have been made to this policy.
- (2) What are the new crewing standards for each shift, broken down by shift type and day of week.
- (3) Of the 30 shifts which fell below the current minimum crew level between 1 July 2018 and 31 October 2018, on what (a) date and (b) shift type, did this occur.

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

- (1) The ACT Ambulance Service policy has been revised to better reflect how crewing levels should be applied.

- (2) As I stated in my Ministerial Statement, the minimum crewing metric has not commonly been used by ambulance services, including ACTAS. Performance is measured by response times and patient satisfaction. The ACTAS deployment matrix has, however, been reviewed to be more dynamic and flexible document than previous. It details variations in the number and location of ambulance resources, according to known patterns of demand. This will allow a more informed and appropriate crewing model, based on predicted need, rather than just an arbitrary crew number across the whole of the week. This matrix will be reviewed periodically using updated case data, to ensure it aligns with patterns of demand.
- (3) The following information can be provided in relation to the 30 shifts which fell below the current minimum crew level between 1 July 2018 and 31 October 2018:

Month	Shifts Below Stated Minimum Crewing	Percentage
July 2018	12	19%
August 2018	7	11%
September 2018	3	5%
October 2018	8	13%

The 30 shifts below stated minimum crewing for this period consisted of 11 day and 19 night shifts.

Roads—Mount Taylor parking (Question No 2071)

Mrs Jones asked the Minister for Roads, upon notice, on 30 November 2018:

- (1) What changes will be made to the entry and exit to the car park at Mount Taylor upon the completion of the car park.
- (2) What barriers or signs, if any, will be put in place to ensure that cars do not turn right across double unbroken lines.
- (3) Can the Minister provide a copy of the site plans for these works.

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

- (1) The entry and exit to the Mount Taylor parking area opposite Mannheim Street have been formalised and moved approximately 150m away from the intersection. Moving the parking area access and egress away from the Mannheim Street intersection separates the conflict points and so improves safety.
- (2) A barrier kerb has been provided to prevent movements other than via the formalised access and egress points.
- (3) Yes, see attached.

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

**Public housing—renewal program
(Question No 2072)**

Ms Le Couteur asked the Minister for Housing and Suburban Development, upon notice, on 30 November 2018:

- (1) What is the expected total revenue of the Public Housing Renewal Program, including from the sale of former public housing sites.
- (2) What is the expected total cost of the program.
- (3) What is the expected total cost of the replacement public housing.
- (4) What is the expected net cost of the program.

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

- (1) The forecast revenue from the sale of the former public housing multi-unit properties identified under the auspice of the Asset Recycling Initiative is \$357.248 million.
 - (2) The forecast total cost of the public housing renewal program is \$541.339 million.
 - (3) The forecast total cost of the replacement housing delivered through the program is \$473.659 million.
 - (4) The forecast net cost of the program is currently \$151.03 million.
-

**Housing—new housing strategy
(Question No 2073)**

Ms Le Couteur asked the Minister for Housing and Suburban Development, upon notice, on 30 November 2018:

- (1) In relation to the outcomes and indicators that will be used to measure the success of the Housing Strategy and given that the Housing Strategy and its accompanying Implementation Plan do not provide detailed outcomes and indicators for the Strategy's measures, can the Minister advise when these will be developed and where they will be published.
- (2) What type of review and evaluation processes will be used to measure the success of the Strategy.

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

- (1) The ACT Housing Strategy Implementation Plan provides an outcome or indicator and an indicative timeframe for each of the 74 actions in the ACT Housing Strategy.
- (2) The ACT Housing Strategy commits to the implementation plan being monitored, and where required updated, annually. The Strategy also notes that government will report back to the community annually on the strategy and the progress and status of the

actions in the implementation plan. The annual examination process will be undertaken in a coordinated manner across directorates with primary responsibility for the various actions. The success of the actions in the Strategy will be measured by their contribution to meeting the Strategy's goals and objectives.

Health—contraception (Question No 2074)

Ms Le Couteur asked the Minister for Health and Wellbeing, upon notice, on 30 November 2018:

Given that numerous people in the ACT have reported that a form must be filled out with their details, including their contact details as well as whether or not they have taken the emergency contraceptive pill (the pill) before, in order to obtain the pill, however, in other states and territories, the pill can be obtained over the counter without having to give over any personal details, (a) why is this form required and (b) what is the information used for.

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

- a) In the ACT, the emergency contraceptive pill (ECP) is available without a prescription (also known as 'over the counter') from a pharmacy.

ECP products are schedule 3 (pharmacist only) medicines, which require assessment and input by a pharmacist prior to supply to a patient, under the *Medicines, Poisons and Therapeutic Goods Regulation 2008*.

In order to dispense the ECP, pharmacists must obtain information to determine that the ECP is suitable. This information includes questions about sexual history.

Under ACT legislation, there is no requirement for people who are seeking to obtain the ECP to complete any forms.

- b) ACT Health understands some pharmacists are using a form to collect this information rather than the pharmacist verbally asking questions to avoid a potentially embarrassing conversation.
-

Municipal services—tree management (Question No 2075)

Ms Le Couteur asked the Minister for City Services, upon notice, on 30 November 2018:

- (1) Given that on page 45 of the Transport Canberra and City Services Directorate Annual Report it says that the Minister has over 768 000 trees to manage, but only planted 1 450 replacement street trees, is the tree stock in existing suburbs declining; if so, by how many a year.
- (2) Did Mr Alegria, on 15 November 2018, tell the Standing Committee on Environment and Transport and City Services that "We have spaces available to fill for planting, no

doubt” (Transcript, p 138); if so, (a) does the Government have an estimate of how many spaces are available and (b) what is that estimate.

- (3) Did Minister Steel, on 15 November 2018, tell the Standing Committee on Environment and Transport and City Services that “We are currently sitting at around 20 percent canopy across the city, and the better suburbs statement recommended that we should move to 30 percent” (Transcript, p 139); if so, what is the “percent canopy” figure a percentage of, for example, Government-owned urban land.
- (4) By what method is the “percent canopy” figure measured, for example, use of light detection and ranging.
- (5) How frequently is the “percent canopy” figure measured, for example, one-off basis, annually etc.
- (6) Is the “percent canopy” data available geographically, for example, in a geographic information system, or only as an overall estimate for the whole city.
- (7) What is the exact figure for the whole urban area for the latest data available.
- (8) If the data is easily available, can the Minister also provide a breakdown by suburb and district.
- (9) Is the “percent canopy” figure believed to be in decline, stable or growing.
- (10) Does the Government have access to data which is or could be used to measure the canopy cover on privately-owned urban land in the ACT; if so, (a) what is that data and (b) does the Government have an estimate of how many additional trees would be required to achieve a 30% target; if so, what is that estimate.

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

- (1) Yes. The rate of decline of public trees is estimated at approximately 3000 trees (mature trees removed and juvenile trees that have either died or are missing) per year based on 2017-18 data. This rate is subject to a range of influences including climate, species and age characteristics.
- (2) No current estimates are available. The most recent audit in 2010-2012 identified approximately 22,000 vacant street tree sites to be prioritised for planting and 17,300 dead trees in streets and parks that required removal and replacement.
- (3) Yes. The ‘around 20%’ figure is taken from the LiDAR data that indicates that tree canopy covers 19.18% of all developed land (residential, commercial, urban open space, road reserves).
- (4) The “percent canopy” figure was measured using LiDAR (Light Detection and Ranging) remote sensing methods.
- (5) The LiDAR was captured as a one-off.
- (6) Tree canopy cover data is available for most but not all of the ACT’s urban area (the 2015 Lidar coverage did not include all of Canberra).

- (7) Based on the limited extent of LiDAR data (limited to most but not all of the ACT's urban area), the average canopy cover percentage across all divisions is 19.18% (land use includes residential, commercial, urban open space and road reserves).
- (8) Yes. Please see below table extracted from *ACT's Urban Forest Strategic Guide for the Urban Tree Planting Program June 2016* (Fig.8 Pg. 30).
- (9) Data on changes in canopy cover require future data acquisition and analysis via further LiDAR capture.
- (10) Yes. (a) The LiDAR data could be used for this purpose. (b) No. The necessary analysis has not been undertaken.

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

Government—carers strategy (Question No 2076)

Ms Le Couteur asked the Minister for Community Services and Facilities, upon notice, on 30 November 2018:

- (1) What influence does the Carer's Voice Framework, developed by the panel of carers, have on the Carers Strategy action plan process.
- (2) Given that the Framework made a list of seven priorities for "enhanced support services" that carers need, two of these are addressed in the current action plan, why were five of the seven priorities not included in the action plan.
- (3) When will each of the other five remaining priorities be considered.
- (4) Given that one of the remaining recommended "enhanced supports" is superannuation compensation payment to be provided for carers by government and that this recommendation is an important mechanism for carers to plan for their future wellbeing, after devoting many of their "earning years" to caring, is the Government considering this recommendation; if not, can the Minister provide reasons as to why it is not.

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

- (1) The ACT Government is committed to supporting and recognising the work of carers and acknowledging the difference they make in our community. In 2017, the ACT Government partnered with Carers ACT to develop the *ACT Carers Strategy 2018-2028* (the Strategy). The Strategy was developed through a deliberative democracy process to ensure a strong carer voice guided its direction. The Carers Voice Deliberative Panel (the Panel) engaged 49 carers and other community members to establish a vision for a carer friendly city, the outcomes we want to see for carers, and our shared priorities.

Two documents make up the framework for the Strategy: the *Carers Voice Panel Report* (the Panel Report) and the *Vision, Outcomes and Priorities Statement*, which was based on key elements articulated in the Panel Report.

In 2018, a Taskforce of representatives from government, the community sector and the carer community, including eight members of the Panel, developed the first three-year Action Plan (the Action Plan) under the Strategy. The Action Plan establishes 25 actions that will deliver on the vision, outcomes and priorities for the Strategy. Each of the priorities established by the Panel are reflected in the Action Plan, with actions mapped against the priorities they support.

A priority for the Government in developing the Action Plan was to ensure that the actions closely reflect critical components of the Strategy established by the Panel. This was achieved by:

- ensuring all members of the Taskforce were familiar with the Strategy, which guided their deliberations;
- ensuring strong representation on the Taskforce by carers who were also members of the Panel; and
- engaging democracyCo to facilitate Taskforce workshops, as democracyCo had previously facilitated the Panel and was familiar with the carers who participated, their stories and their priorities.

- (2) The Carers Voice Panel brought together people of different ages with diverse caring roles and life circumstances, ensuring that a wide range of relevant issues were considered. Early in the deliberative process, Panel members raised several enhanced support services with potential benefits for carers.

During this discussion, it was noted that some of the suggested services were outside the responsibility of the ACT Government and were therefore not within the agreed scope for the Carers Strategy. However, Panel members agreed that the proposed enhanced support services should be included in the final Panel Report, to provide a wider context and reflect the Panel's discussion. The inclusion of this section in the Panel Report reflects the ACT Government's commitment to an authentic deliberative process underpinned by transparency and trust between participants.

- (3) While several of the proposed enhanced support services are directly reflected in a number of actions in the Action Plan, it should be noted that this is the first three-year Action Plan under a Strategy with a ten-year life span.
- (4) The Panel discussed superannuation support for carers in deliberations to develop the Strategy. The Panel was advised that superannuation was a Commonwealth government responsibility, and as such was outside scope for the ACT Strategy. The Panel acknowledged this, and discussions with Carers ACT led to the decision that superannuation support would be addressed by Carers ACT in the context of its advocacy work at the national level.

Schools—instrumental music program (Question No 2077)

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 30 November 2018:

- (1) How many (a) primary and (b) high schools participate in the Instrumental Music Program.

- (2) What selection criteria or other requirements apply for students wishing to participate.
- (3) In relation to instrument tuition, (a) who delivers the tuition, (b) what qualifications must they have and (c) what employment conditions apply to them.
- (4) Is there insurance cover for loss, damage or theft of musical instruments; if so, who is liable for that cover; if not, what happens in the event of an instrument being lost or damaged.

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

- (1) In 2018 the Instrumental Music Program (IMP) delivered 103 bands/classes across 53 primary schools and six band classes across six high schools.
- (2) The selection for band classes in primary schools involves a listening assessment carried out by IMP staff at the start of the year; a review by classroom teachers from year four (where available) on work habits, reading skills, group work skills and home task completion; and, an aural test which is used to make offers of a place to parents/students.

Note, this program supplements and complements existing music programs in schools.
- (3) IMP teachers deliver the tuition and hold teaching qualifications, are registered for teaching in the ACT with the Teacher Quality Institute and hold a Working with Vulnerable People card.
- (4) The Directorate is self-insured for IMP musical instruments. Parents are asked to sign an asset loan form for each instrument. An extensive asset list is maintained by the IMP and a stocktake of location and condition is performed for assets in every school/class twice a year.

Schools—language teaching (Question No 2078)

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 30 November 2018:

- (1) How many teachers employed in ACT government (a) primary schools, (b) high schools and (c) colleges teach a language and on what basis are they employed, ie, full-time, part-time, casual etc.
- (2) For each teacher identified in part (1)(a) to (c), what languages do each of them teach.
- (3) For each teacher identified in part (1)(a) to (c), how many teach in more than one school.
- (4) For each teacher identified in part (1)(a) to (c), what hours per week are they employed.
- (5) For each teacher identified in part (1)(a) to (c), how many are employed exclusively to teach language subjects; if none are employed only to teach language, (a) how many hours a week are spend teaching a language and (b) what other subjects to they teach.

- (6) What qualifications are required for teaching a language in an ACT government school.
- (7) Do all teachers of languages have the appropriate qualifications; if not, how many do not and why not.
- (8) For each teacher identified in part (1)(a) to (c), what languages (a) have an appropriately qualified teacher delivering language classes (b) do not have appropriately qualified people teaching them and in how many schools does this apply.

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

- (1) The overall number of languages teachers is recorded in the Directorate's annual Languages Census. The decision on the allocation of teachers to classes and the basis on which they are employed is a school based decision. The Directorate does not collect this data centrally.

	Primary Schools	P-10 Schools	High Schools	Colleges
Number of Languages Teachers	79	48	43	48

(2)

	Primary Schools	P-10 Schools	High Schools	Colleges
Aboriginal and Torres Strait Islander Cultures and Languages	0	0	1	0
AUSLAN	1	0	0	0
Chinese	11	5	3	13
French	15	29	15	7
German	2	1	0	3
Hindi	0	0	0	2
Indonesian	17	7	5	3
Italian	11	0	2	4
Japanese	25	17	15	7
Korean	0	1	0	3
Latin	0	0	0	1
Spanish	6	4	3	5

- (3) The number of teachers who teach across more than one school is not recorded centrally by the Directorate, these arrangements are made at a school level and exist on a number of sites.
- (4) The number of hours per teacher is determined at a school level, and is not able to be extrapolated from data held by the Directorate. All ACT government schools are required to provide at least one language program in one of eight priority languages (French, German, Italian, Spanish, Indonesian, Japanese, Mandarin, and Korean). Each year, from year three to six, schools are required to provide students with a minimum of 60 minutes per week of languages education. In years seven and eight, schools are required to provide students with a minimum of 150 minutes per week.

- (5) The subjects taught by teachers is a school based decision. The Directorate does not collect this data centrally.
- (6) All teachers in the ACT schools must be appropriately qualified and registered through the Teacher Quality Institute (TQI).

TQI mandate that teachers have successfully completed:

- A four year primary or secondary teaching double degree.

Planning—Yarralumla brickworks (Question No 2079)

Ms Lee asked the Minister for Planning and Land Management, upon notice, on 30 November 2018 (*redirected to the Minister for Roads*):

- (1) In relation to the Canberra Brickworks development, when will the revised assessment based on new documentation submitted following the consultation process, and advised in a letter to me on 28 November, be completed.
- (2) What assessment has been done on traffic patterns, in relation to this development, along Dudley Street.
- (3) Who undertook those traffic assessments.
- (4) Can the Minister provide the findings and recommendations of the assessment report.
- (5) If no assessment has yet been done, when will one be undertaken and why has one not been done.
- (6) What assessment has been done on the environmental or heritage significance of the trees planted in the area adjacent to Dudley Street.
- (7) What consultation has been held with Transport and City Services officers about bus stops and bus movements along the current Dudley Street route.
- (8) What consultation has been held with Transport and City Services officers about bus stops and bus movements along a redesigned or reconfigured Dudley Street.

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

- (1) The assessment of the s211 EIS exemption application for the Dudley Street upgrade and CBP access road project is currently being undertaken by the Environment, Planning and Sustainable Development Directorate. This process is explained on their website:
https://www.planning.act.gov.au/topics/design_build/da_assessment/environmental_a_ssessment/exemption_from_requiring_an_eis_s211.
- (2) The EIS exemption consideration report will need to include the offset requirements set out in the Commonwealth's EPBC referral decision, which is due by late December 2018.

- (3) A traffic and transport impact assessment has been undertaken for the Canberra Brickworks Precinct (CBP) Access Road and Dudley Street Upgrade project.
- (4) This assessment was undertaken by AECOM.
- (5) The findings and recommendations of the traffic and transport impact assessment were included in section 7.1 of the publicly available Final Preliminary Documentation:
<https://www.tccs.act.gov.au/roads-paths/current-projects/city-inner-north-and-inner-south/canberra-brickworks>
- (6) The report has been undertaken, see item 4 above.
- (7) A Tree Assessment has been undertaken for the Canberra Brickworks Precinct (CBP) Access Road and Dudley Street Upgrade project.
- (8) There are currently no bus routes along Dudley Street. The existing bus stops were used for school services only in the past.
- (9) Consultation has occurred with Transport Canberra and City Services as part of the Canberra Brickworks Precinct (CBP) Access Road and Dudley Street Upgrade project in relation to the need for bus stops to be included as part of the upgraded Dudley Street.

Transport—bus station maintenance (Question No 2080)

Miss C Burch asked the Minister for Transport, upon notice, on 30 November 2018:

- (1) What were the costs of maintenance during (a) 2014-15, (b) 2015-16, (c) 2016-17, (d) 2017-18 and (e) 2018-19 to date for (i) Gungahlin Bus Station, (ii) Kippax Bus Station, (iii) Westfield (Belconnen) Bus Station, (iv) Belconnen Community Bus Station, (v) City Bus Station, (vi) Woden Bus Station, (vii) Weston Cooleman Court Bus Stop, (viii) Tuggeranong Bus Station and (ix) Erindale Bus Station.
- (2) What were the costs of maintenance during (a) 2014-15, (b) 2015-16, (c) 2016-17, (d) 2017-18 and (e) 2018-19 to date for (i) Belconnen and (ii) Tuggeranong Bus Depots.

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

- (1) Due to changes in the coding of maintenance expenditure data, annual costs for maintaining ACT Government owned bus stops and interchanges is unable to be disaggregated prior to the 2016-17 financial year.

Currently maintenance cost data is not collected at the level of individual bus facilities. Below are the annual costs for maintaining, ACT Government owned bus stops and interchanges;

2016-17	2017-18	2018-19 (Nov YTD)
\$74,795	\$155,328	\$56,687

*Above maintenance costs exclude asset cleaning costs of \$452,381 for 2016-17, \$314,082 for 2017-18 and \$183,075 YTD November 2018-19.

(2) In relation to bus depots, maintenance (excluding capital upgrades) was;

	2014-15	2015-16	2016-17	2017-18	2018-2019 (NOV YTD)
i) Belconnen Depot	527,520	472,545	376,966	319,691	129,526
ii) Tuggeranong Depot	331,974	269,039	229,796	250,148	77,718

Transport—MyWay agents (Question No 2081)

Miss C Burch asked the Minister for Transport, upon notice, on 30 November 2018:

- (1) How many MyWay Smartcard Reload Terminals are owned by the Territory.
- (2) What is the dollar value of a single MyWay Smartcard Reload Terminal.
- (3) What was the value of support services provided by the Territory to MyWay Recharge Agents in (a) 2014-15, (b) 2015-16, (c) 2016-17, (d) 2017-18 and (e) 2018-19 to date.

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

- (1) 42.
- (2) The reload terminals can no longer be purchased. However when TCCS last purchased them in 2013 the cost for each terminal was approximately \$12,000.00 including ancillary equipment and installation.
- (3)

(a)	2014-15	\$228,000
(b)	2015-16	\$233,000
(c)	2016-17	\$239,000
(d)	2017-18	\$243,000
(e)	2018-19 NOV YTD	\$103,000

Light rail—driver remuneration (Question No 2082)

Miss C Burch asked the Minister for Transport, upon notice, on 30 November 2018:

What was the dollar value of wage, salary and other payments to light rail drivers made in (a) February 2018, (b) March 2018, (c) April 2018, (d) May 2018, (e) June 2018, (f) July 2018, (g) August 2018, (h) September 2018, (i) October 2018 and (j) November 2018 to date.

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

- (1) Canberra Metro Operations employ all light rail drivers and are a private company. The value of wage, salary and other payments to light rail drivers is not disclosed. The ACT Government has made no payments to date for light rail drivers.
-

Questions without notice taken on notice

ACTION bus service—school services

Ms Fitzharris (*in reply to a question and supplementary questions by Miss C Burch and Mrs Kikkert on Tuesday, 23 October 2018*):

Transport Canberra and City Services interviewed all officers involved in this incident and are confident all policies and procedures were followed.

For your information operating procedures for all situations regarding school bus services that have been involved in incidents such as bus breakdowns or motor vehicle collisions are as follows:

Bus drivers are required to:

- Notify the Communications Centre (COMCEN) that their school service has broken down/been involved in an incident.
- Confirm that the bus is safe and students can remain on the bus.
- Advise COMCEN of the approximate number of students on board and approximate primary and secondary student numbers.
- Announce to the students that an alternate bus is on route and will collect them to continue their trip.
- Direct the students not to leave the bus unless they notify the driver.

If the bus is not safe for students to remain on board the bus the bus driver should:

- Notify COMCEN immediately.
 - COMCEN will send two teams of Transport Officers to the bus and emergency services if required.
 - One team to specifically assist with student duty of care.
 - The other team will monitor/assist with bus breakdown/emergency issue.
- Advise COMCEN of the approximate number of students on board and approximate primary and secondary student numbers.
- Announce to the students that an alternate bus is on route and will collect them to continue their trip.
- Direct students to relocate to a safe area under the driver's supervision.
- Direct the students not to leave the area unless they notify the driver.

Field Transport Officers (FTO) are required to:

- Once on location FTO's will be responsible for students until they are transferred to a replacement bus or collected by a parent.
- In addition FTO's must:
 - Maintain passenger safety.
 - Identify and confirm student numbers from the bus/buses involved.
 - Collect details of students affected by the incident.
 - Ask students to remain on the bus/or in the area while safe to do so.

- Release students into the care of an identified parent/carer.
 - Notifying COMCEN when this occurs.
- Assist and monitor the transfer of students to replacement services/field vans.
- Notify COMCEN when student transfer is complete.

ACTION bus service—network

Ms Fitzharris (*in reply to a supplementary question by Ms Le Couteur on Tuesday, 23 October 2018*):

- Transport Canberra has calculated the proportion of Canberrans within walking distance of a bus stop based on:
 - The proportion of dwellings in mesh blocks that are within a 800m radius of a Rapid bus stop or light rail stop (Rapid routes);
 - the proportion of dwellings in mesh blocks that are within a 500m radius of any other bus stop served by local buses (Local routes); and
 - the proportion of dwellings in mesh blocks that are within a 800m radius of a Rapid bus stop or light rail stop OR within a 500m radius of any other bus stop served by local buses (All routes).
- Mesh Blocks are the smallest geographical area defined by the Australian Bureau of Statistics (ABS) and form the building blocks for the larger regions of the Australian Statistical Geography Standard (ASGS).
- This methodology is consistent with historical practices for calculating coverage of bus services in the ACT, as well as for other purposes (such as calculating coverage in new suburbs being developed).
- These radial distances are also consistent with the Estate Development Code.
- Using this consistent methodology, the portion of the Canberra community living within an 800m walking distance of a rapid route will increase from approximately 30% at the establishment of Transport Canberra in July 2016 to approximately 60% in the new network.

Health portfolio—workplace culture

Ms Fitzharris (*in reply to supplementary questions by Mrs Dunne and Mr Wall on Tuesday, 27 November 2018*):

(1) No.

- (2) In 2018 the following three divisions (in ascending order) within Canberra Health Services had the highest number of reported incidents for mental stress:
- i. Mental Health, Justice Health, Alcohol and Drug Services
 - ii. Medicine; and
 - iii. Surgery and Oral Health.

Health portfolio—staff safety

Mr Rattenbury (*in reply to a supplementary question by Mrs Dunne on Tuesday, 27 November 2018*):

No. Within the ACT Health Incident Management System – Riskman - there are two classifications which may provide data related to clients or visitors being hit by moving objects:

1. The classification titled “Being hit by moving objects”; and
2. The classification titled “Non-Clinical/Facility – Hazards – Other”.

There are not separate registers within these classifications for clients and visitors.

Canberra Hospital—radiology department

Ms Fitzharris (*in reply to supplementary questions by Mrs Dunne and Mr Milligan on Tuesday, 27 November 2018*):

- (1) There were no impacts on clinical care.
- (2) The backlog was cleared in a little over a week. This was achieved in part by offering additional hours to radiologists for reporting, and by sending CT scans to the offsite provider for reporting. These practices can be repeated at times of high demand to avoid backlogs in future.

Health portfolio—staff safety

Ms Fitzharris (*in reply to a supplementary question by Ms Lawder on Tuesday, 27 November 2018*):

Mental & Justice Health, Alcohol & Drug Services, followed by Critical Care and Medicine, had the highest number of reported incidents related to moving objects at Canberra Health Services.

(Source = Staff Incidents on Riskman 01/01/18 – 27/11/18)

Alexander Maconochie Centre—duress alarms

Mr Rattenbury (*in reply to a question and supplementary questions by Mrs Jones and Mrs Dunne on Wednesday, 28 November 2018*):

- (1) Yes. All duress alarms that Canberra Health Services are responsible for, where Justice Health Services provide care, are in good working order. Those locations are:
 - Dhulwa Mental Health Unit,
 - Extended Care Unit (ECU), and
 - City Community Health Centre

The duress alarms and system at the Alexander Maconochie Centre are completely managed by ACT Corrective Services.

In Dhulwa and ECU, the mobile duress alarm devices are allocated and electronically registered to an individual staff member at the commencement of each shift. At the time of registration, each staff member checks that their allocated duress alarm is working prior to entering the clinical floor. The devices operate throughout the units via WiFi enabled systems which are regularly checked and maintained through ACT Health, Digital Solutions.

At the City Community Health Centre, there are 12 fixed duress alarms, with the Justice Health Services allocated space. The duress alarms are tested monthly by building security.

- (2) All mobile duress alarms in Dhulwa and ECU are currently accounted for. If any device is lost or broken, they are either repaired or replaced as soon as practicable. If any device is unaccounted for, they can be electronically tracked to the last person to whom the device was allocated.

Animals—off-leash areas

Mr Steel (*in reply to a question and supplementary questions by Ms Lawder and Mr Parton on Wednesday, 28 November 2018*):

- In accordance with the *Domestic Animals Act 2000*, dogs in public places must be restrained by a leash, unless in a declared exercise area.
- Declared exercise areas are identified on the dog exercise area map on the ACTmapi website.
- Dogs being exercised off-leash in a declared exercise area must remain under the effective control of their keeper/carers.
- The TCCS website is accurate in the information it provides.

ACT Supreme Court—coat of arms

Mr Ramsay (*in reply to a question and supplementary questions by Mr Hanson and Mr Wall on Wednesday, 28 November 2018*):

1. The issue of the coat of arms has been raised on a number of occasions throughout the planning, design and construction of the building. In April 2018, the Territory Project Team provided a formal brief to me on the use of coat of arms within the Court.
2. I have exchanged no correspondence with the Chief Justice about this matter although I have discussed the issue at meetings with Her Honour. I am not aware of any correspondence between the previous Attorney-General and the Chief Justice in regards to this matter.

Alexander Maconochie Centre—duress alarms

Mr Rattenbury (*in reply to a question and a supplementary question by Mrs Jones on Wednesday, 28 November 2018*):

ACT Corrective Services (ACTCS) were informed of the specific incident referenced. The incident was a test of the duress alarm and at no time was staff safety compromised.

ACTCS currently have over 70 operational mobile duress units, and these are available for staff at the AMC including Justice Health staff. In the event of a shortfall in mobile duress units, ACTCS does have alternative options. The Government has allocated funding for the procurement of a new Mobile Duress System replacement project due to the fact that the current system is now obsolete, and alarms can no longer be repaired or procured. The current Mobile Duress System is projected for replacement in late 2019.

Calvary Hospital—plumbing

Ms Fitzharris (*in reply to supplementary questions by Mr Coe and Mrs Dunne on Thursday, 29 November 2018*):

(1) No.

(2) No.

Schools—injuries

Ms Berry (*in reply to a question by Ms Lee on Thursday, 29 November 2018*):

Staff incident and injury data is stored centrally in the Whole of Government electronic work health and safety incident reporting system and the Directorate has access to the data it needs to ensure it meets the requirements of the Undertaking.

The Directorate operates in accordance with the *Responding to Student Accident/Incidents: Support, Reporting and Insurance Arrangements Policy*, in relation to student injury reporting and insurance arrangements.

https://www.education.act.gov.au/publications_and_policies/corporate-policies/wellbeing/accidents-and-incidents/responding-to-student-accident-incidents-support-reporting-and-insurance-arrangements-policy

Education—enrolment policy

Ms Berry (*in reply to a question and supplementary questions by Mrs Kikkert and Ms Lee on Thursday, 29 November 2018*):

In accordance with the ACT Education Act 2004, all children of school age living in the ACT are guaranteed a place at the government school in their neighbourhood;

their neighbourhood being defined by a school's Priority Enrolment Area (PEA). This guarantee applies regardless of when a student applies for enrolment. This guarantee is fundamental to the equity of the government school system, as no child should have to compete for a place in school.

As has been long standing policy, if a school has capacity after enrolling students from its PEA, it may consider offering enrolment to ACT students who live outside the PEA (also known as "out of area" enrolments). Schools should establish an enrolment limit at a level less than 100 percent of capacity utilisation to ensure there is always capacity available for ongoing enrolment from within their PEA, at any time in the year, for example, if a family newly moves to Canberra or into their area. In addition, the Directorate's aim is that over the longer term, a school's capacity utilisation is less than 100 percent so as to enable flexible use of learning spaces to suit curriculum needs.

Due to high demand within their PEAs, both Lyneham High School and Canberra High Schools were required to limit out of area enrolments for year 7 in 2019 with Lyneham High School being limited to a very small number of students into the LEAP program.

The Directorate has a number of exception categories for out of area enrolments which are detailed on the Directorate's website

https://www.education.act.gov.au/school_education/enrolling_in_an_act_public_school/parent-guide/accepting-an-offer-of-enrolmenttransfer. They include:

- siblings of concurrently attending (ie in 2019) students
- non-PEA students on clear wellbeing grounds; or
- agreed, capped specialist programs with defined eligibility criteria.

Wellbeing

The elements of student wellbeing include:

1. legal considerations;
2. social and economic vulnerability;
3. mental health including psychological factors; or
4. students that may be considered at risk for other factors.

Specialist programs

The ACT government school system is based on equity. As such, there are a range of "special" programs which are available universally across ACT public schools, such as Tier Two Continuum of Education or (per existing policy) Gifted and Talented programs. These universally available approaches across schools are not considered as 'defined specialist programs'.

A small number of schools deliver defined "specialist" programs agreed with the Education Support Office of the Directorate. For the purposes of the selection of non-PEA enrolments, these programs have an agreed maximum capacity with defined and objective selection processes. These programs have a cap on the maximum number of

students they can accept and, where the cap has not been met by PEA students, non-PEA students can be considered for these places, either according to the objective selection methodology in place, or in strict application date and time order. Clear evidence is required to support selection of non-PEA applicants into these programs. One such program is the French bilingual program at Telopea Park School.

Mental health—duress alarms

Mr Rattenbury (*in reply to a question and a supplementary question by Mr Wall on Thursday, 29 November 2018*):

- (1) All staff in the Adult Mental Health Unit and the Mental Health Short Stay Unit are allocated with personal duress alarms if they are working in clinical areas. These personal alarms are stored in charging racks in staff only areas of both units.

If any devices are lost or broken, they are either repaired or replaced as soon as practicable. If any device is unaccounted for, they can be electronically tracked to the last person to whom the device was allocated.

- (2) All devices are allocated and electronically registered to an individual staff member at the commencement of each shift.

At the time of registration, each staff member checks that their allocated duress alarm is working prior to entering the clinical floor. The devices operate throughout the unit via WiFi enabled systems which are regularly checked and maintained through ACT Health, Digital Solutions.

Sport—night-time events

Ms Berry (*in reply to supplementary questions by Mr Milligan and Mr Wall on Thursday, 29 November 2018*):

The ACT Government is supportive of motorsports in Canberra.

The motorsport activities at the Fairbairn Park Cluster operate under an Environmental Authorisation granted by the Environment Protection Authority (EPA) under the *Environment Protection Act 1997*. The Environmental Authorisation sets out conditions under which motorsports may be run.

The conditions in the Environmental Authorisations are to manage noise from the motorsports so residential areas near the Fairbairn Park Cluster are protected from excessive noise levels. The Environmental Authorisations do not restrict the number of events held, where the noise from a motorsport event does not breach the noise zone standard. Where an event exceeds the noise zone standard, Authorisation holders are able to use a set number of noise credits each year, which allow an increase in the noise standard by 5dB per credit, up to a maximum of 4 credits or 65dB(A).

There is a restriction on the Fairbairn Park Cluster not permitting motorsport events after 5pm. The restrictions were put in place following complaints from The Ridgeway residents in NSW and residents in Oaks Estate.

The EPA permitted the recent trial evening racing event at the National Capital Motorsport Club following noise mitigation works which were aimed at reducing noise to a level which was compliant with the noise zone standard. The noise levels during the trial event were louder than expected and above the noise zone standard. The EPA has had discussions with the National Capital Motorsport Club following the trial and a commitment was made by the National Capital Motorsport Club to work on mitigation measures to further reduce noise from the Speedway.

There are a number of other motorsport events which are held in the ACT and operate under an environmental authorisation. The National Capital Rally is held over four days around June and operates within the conditions of their authorisation which is similar to the National Capital Motorsports authorisation. In the past the EPA has authorised the GMC 400 and one off events. When considering an application for an environmental authorisation or a variation to an existing environmental authorisation the EPA considers the potential for the activity to cause environmental harm, the environmental record of the applicant, any relevant policies and the social and economic benefit that may be derived from the activity. This ensures a considered and balanced outcome which has taken into consideration the environment in which the activity will be held and the need of the Authorisation holder to undertake the activity.