



Debates

WEEKLY HANSARD

Legislative Assembly for the ACT

NINTH ASSEMBLY

28 NOVEMBER 2019

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Thursday, 28 November 2019

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Thursday, 28 November 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.

Petitions

The following petitions were lodged for presentation:

Canberra Hospital precinct—petition 29-19

By Mrs Dunne, from 203 residents:

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

The following residents of the ACT draw to the attention of the Assembly that we support Canberra and the surrounding region having access to high quality hospital facilities, however we oppose:

- (a) additional vehicle access via Palmer Street and Gilmore Crescent to the Canberra Hospital (TCH). The current SPIRE proposal has been developed without adequate planning and consultation with the Garran community. It subsequently threatens the safety of the community, especially school children;
- (b) work on the SPIRE project proceeding before a Master Plan and Hospital Precinct Plan for TCH (including Garran and Phillip) has been developed.

Your petitioners, therefore, request the Assembly to call on the Government to:

- (a) stop any additional access to TCH from Palmer Street and Gilmore Crescent, and ensure safe traffic flow within the Hospital Precinct;
- (b) engage in genuine consultation with the local community in the Hospital Precinct in the development of both Master Plans;
- (c) establish an enforceable plan to address parking in the Hospital Precinct as soon as possible, minimising the impact of TCH on the local community and school;
- (d) ensure the impact of helicopter noise on surrounding residences and school is minimised irrespective of where the hospital helipad is located.

Canberra Hospital precinct—petition 32-19

By Mrs Dunne, from 534 residents:

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

This petition of certain residents of the Australian Capital Territory draws to the attention of the Assembly that we support Canberra and the surrounding region having access to high quality hospital facilities, however we oppose:

- (a) additional **vehicle access via Palmer Street and Gilmore Crescent** to the Canberra Hospital (TCH). The current SPIRE proposal has been developed without adequate planning and consultation with the Garran community. It subsequently threatens the **safety** of the community, especially school children;
- (b) work on the SPIRE project proceeding before a **Master Plan and Hospital Precinct Plan** for TCH (including Garran and Phillip) has been developed.

Your petitioners, therefore, request the Assembly to call on the Government to:

- (a) stop any additional access to TCH from Palmer Street and Gilmore Crescent, and **ensure safe traffic flow** within the Hospital Precinct;
- (b) engage in **genuine consultation with the local community** in the Hospital Precinct in the development of both Master Plans;
- (c) establish an enforceable **plan to address parking** in the Hospital Precinct as soon as possible, minimising the impact of TCH on the local community and school;
- (d) ensure the impact of **helicopter noise** on surrounding residences and school is minimised irrespective of where the hospital helipad is located.

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

Pursuant to standing order 99A, the petitions, having more than 500 signatories, were referred to the Standing Committee on Planning and Urban Renewal.

Motion to take note of petitions

MADAM SPEAKER: Pursuant to standing order 98A, I propose the question:

That the petitions so lodged be noted.

MRS DUNNE (Ginninderra) (10.03): Madam Speaker, this petition has been brought about by the arrogance of the Labor-Greens coalition government. It is arrogance that is breathtaking. I would like to relate a little of the history around this. In 2012 the then health minister, Katy Gallagher, spent more than \$2 million on plans to redevelopment buildings 2 and 3 of the Canberra Hospital. That facility would do all the things the current SPIRE building is intended to do. But there were two important

advantages to the Gallagher proposal: first, there would be emergency services access and egress from a major arterial road. Second, it would be connected to and integrated with the existing hospital directly. But the government shelved that idea.

In 2016, the Canberra Liberals, under Mr Hanson, picked up the idea and made an election commitment to build the much needed hospital. Only weeks before the election, the government had a light bulb moment. It realised that it could not allow the opposition to have such a good idea and take it to the election. It could have been seen to be doing a “me too” even though the idea had come from one of their own in the first place. So they pulled out the proverbial drink coaster and came up with a \$500 million election promise. Let us call that SPIRE 1. It was to be built where the helipad is.

Of course, someone realised that that was not a very good idea because then there would be nowhere on the hospital premises for the helicopter to land. So SPIRE 1 became SPIRE 2, the drink coaster was expanded to a volume, and the SPIRE now shifted to a location between Hospital Road and Palmer Street. To say that the planning for this facility has been woeful, reactive and unstrategic is a gross understatement. The SPIRE, as is currently planned, overshadows Garran Primary School, where 600 children come and go, and is opposite local residences on Palmer Street.

The current health minister will tell you that SPIRE fronts Hospital Road. She goes quiet on the fact that the ambulance access will be via the ambulance deck at the rear of the building on Palmer Street. Never mind the local residents and 600 school children who attend Garran Primary School. Never mind the fact that the many ambulance arrivals and departures every day will be using Gilmore Crescent and Palmer Street. Never mind that ambulances will have to deal with the traffic congestion at school o’clock twice a day. Never mind that there will be ambulances taking longer to access the emergency department. Never mind that the longer transport times might compromise patient outcomes.

And when did the government decide to consult with local residents and community stakeholders, such as the parents of the children who go to Garran Primary School? Madam Speaker, this government in its arrogance decided it would consult on SPIRE only after it had made two important decisions: SPIRE’s location and after calling for expressions of interest for the design and build. The people of Garran know that this is blatant lip-service. They know that nothing they say in this so-called consultation process will make an iota of difference to the government’s decision to locate SPIRE opposite their school and opposite their homes.

What we have here today is the people of Garran speaking: 737 of them have written on a petition asking for the government to reconsider the location of SPIRE. But the minister has made it perfectly clear, as she did at the Woden Valley Community Council quite recently, that that is not negotiable. However, this petition, because it has reached the threshold of more than 500 signatures, will be referred to a committee. I hope that the committee, which I presume will be the health committee, will consider the important issues.

It is an important issue for the people of Garran and surrounding areas in particular. I hope that the members for Murrumbidgee who are on that committee will take their constituency work seriously and look very seriously at the issues that arise in relation to the current location of SPIRE. It really is time for the government to admit that it got it wrong.

I know that that will be hard for the government to do, but it is a little perplexing that they are in a situation where one of their own suggested the right solution for this building and they have walked away from it. They have created a situation where everyone who is a close neighbour is unhappy and concerned about the location of a building that we all know is crucial to the health future of the people of the ACT. No-one is objecting to the building. They are objecting to the location, which is unsafe and fraught.

MS LE COUTEUR (Murrumbidgee) (10.08): Madam Speaker, I rise to speak on the SPIRE petitions. I know the Canberra Hospital precinct well, both as a former very close neighbour of it and also, unfortunately, as someone who has spent many hours at various hospital and health services in that precinct while supporting people close to me. Of course, the Greens and the community all support future expansion of health facilities in the precinct. SPIRE is what we are talking about right now, but with a growing population and an ageing population, we all know that there will be more. This growth in facilities will no doubt have an impact on local residents.

However, planning, design and consultation matter a lot in how big that impact is and how the community responds to each proposal. Planning work on the expansion of key facilities at the site has been going on for years. I assume that in fact there has been extensive consultation with medical stakeholders. However, to date clearly there has not been adequate consultation—really, hardly any at all—with the community. The local community is currently feeling alienated from the process.

For example, the March 2019 community consultation clearly did not notify people about the potential impacts of the new plan for SPIRE on Palmer Street and Gilmore Crescent. Local residents were just taken by surprise at the move of location. That has led to a significant amount of the current distress in the community. At this point I believe that it is critical for the health minister to provide a detailed explanation to the local community of the medical reasons, the real reasons, why the current SPIRE location has been chosen instead of the location publicised in 2016.

I am sure that there is some good reason. Please, share it with the community and they no doubt would be a lot more accepting of what presumably is the best outcome. But we do not know. It is also highly important for the government to listen to local feedback about traffic. This is a matter not just for local residents but also, of course, for patients and visitors. I am afraid that I know this personally. Driving someone to the emergency department is a very stressful and distressing experience. The driver is not going to be thinking about traffic at that point. There have to be clear, simple ways for accessing emergency.

The current access off Yamba Drive at least is simple. After that, it is not quite so simple. But fighting through school drop-off traffic in a suburban road is not easy, clear and simple. There is also a need for better long-term planning. The hospital precinct is clearly adjacent to a large amount of government-owned land, including the former CIT site, the school and the ovals. This gives the government flexibility to solve the particular problems in many different ways.

The precinct has a lot of challenges. School traffic is only one of them. During the SPIRE process and the subsequent master plan process, the government needs to think widely and creatively about options like relocating the school drop-off area and vastly improving public transport both to the hospital and around the precinct itself. As Mrs Dunne noted, there are enough signatures to ensure that this petition will be referred. I am in a fortunate position. I think that it would have to be referred to either the HACS committee or the planning committee. I am on both of those committees. So I look forward to much further discussion of this issue at the inquiry.

In conclusion, I urge the government to mend fences with the local community by being open about why the proposed site has been chosen and also by listening to, and importantly acting on, the community's feedback on the consultation process, local traffic issues and the planning for the very important hospital precinct going into the next 10 to 20 years.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Disability, Minister for Employment and Workplace Safety, Minister for Health, Minister for Urban Renewal) (10.12): I thank Mrs Dunne for tabling this petition and I thank Ms Le Couteur for her comments.

I will be responding formally in due course, but I would like to make a couple of points in relation to the matters that Mrs Dunne and Ms Le Couteur have raised. The petition opposes additional vehicle access via Palmer Street and Gilmore Crescent to the Canberra Hospital. I have made the point a number of times in this place that the location of the SPIRE project is a location in existing facilities from which cars come and go via Gilmore Crescent throughout the day, every day. Any of us who are driving to Canberra Hospital can already see that that traffic will be relocated. We are currently undertaking detailed traffic modelling. That will be shared with the community as soon as that is completed.

As I have also said, we are already taking on board the comments we have heard from the community. As Ms Le Couteur has pointed out, the new location for SPIRE has been known since December 2018 and was first discussed with the community in March 2019. We have not just started this conversation. We have started a detailed conversation. Members would be aware that last week I announced the establishment of a local community reference group to contribute to the further community engagement as we progress with detailed design for this project.

I acknowledge members of the Garran community and the local school community who are in the gallery today. I encourage them to apply to be part of the local

community reference group. As with all our projects, that will be an important part of the two-way engagement with the local community about how we design and build our new emergency, surgical and critical care capability at Canberra Hospital, the biggest investment in new health infrastructure since self-government.

This is a very important project for the whole of Canberra but also, I recognise, an important project for the local community. We are already committed to engaging in genuine consultation with the local community in relation to the hospital precinct, the master plan and the development of the SPIRE project. We will continue with that engagement in good faith.

Madam Speaker, I seek your guidance, and maybe that of the Clerk, in relation to the referral of this matter. When the Clerk announced this, he indicated that it would be referred to the planning committee. Others have made an assumption that it would be referred to health and community services. I seek clarification in relation to which committee this petition is intended to be referred to, given that I intend to be the minister responding to the petition, given that it relates to the SPIRE project specifically.

MADAM SPEAKER: I will seek some advice and clarify that by the end of the day.

MR HANSON (Murrumbidgee) (10.15): I commend Mrs Dunne for bringing this forward today and tabling the petition. I echo her words; they are very important. I also recognise the extensive work that Mrs Dunne has been doing in her portfolio. And I welcome the members of the Garran community who are here today.

Mrs Dunne outlined some of the history. I will reiterate some of those points but go further.

The origins for the redevelopment of the Canberra Hospital came in 2008 with the capital asset development plan. It was a plan from the Labor Party to rebuild Canberra's ageing health infrastructure, particularly the Canberra Hospital. We had particular concerns with some aspects of it but, by and large, it was a bipartisan approach.

In 2010 we had a committee inquiry which I participated in. Out of that arose a plan from the Labor Party for a long-term plan for Canberra's health infrastructure. That was the origin of the University of Canberra Hospital, and the decision was then made by the Labor government to rebuild the Canberra Hospital. The decision was to put \$800 million towards that. The first stage was going to be \$375 million. In 2011, \$41 million was put in the budget to proceed with that program.

Then there was an election and things changed. I do not know what went on behind the scenes with the Labor Party and the Greens, and decisions about a tram, but things changed. In the 2012 budget, the government took out of the budget that \$41 million to start the process of redeveloping the Canberra Hospital, for stage 1 of the redevelopment. All the work that had been done got shelved; the \$375 million went to the tram, and that project was put on ice.

When we inquired into this, the response from the then health minister, Mr Corbell, was that the plan for the Labor Party was just to manage high-risk infrastructure. They were going to manage it for 10 years, basically in an ad hoc way as problems occurred, and put out spot fires. That was the language that they used: extreme risk management.

I do not resile from the fact that we then took what we thought was a good plan. We had worked on it collaboratively, in a sense, through that committee process, with a bipartisan view that this needed to be done. We said, "We will do this at the 2016 election." We put that plan on the table. It had an enormous amount, millions of dollars, of work behind it, but it had been put on ice by the Labor Party.

What then happened was that through the course of the 2016 election, it became apparent to the Labor Party that this was something that was needed and was a political problem for them. There was a poll in the field. The poll obviously told the Labor Party that they needed to do something here because this is what the people of Canberra wanted.

On the eve of the election, they came out with something called the SPIRE, on a single A4 piece of paper. It did not have any of the research, the expert advice, the years of work and the millions of dollars of planning behind it; it was done over a weekend on a piece of A4 paper. As a result, we have a situation now where the Labor Party's plan is a political fix. We see the consequences of that in that there is no physical work being commenced. When we look at who is actually working on it, it is not very many people. It is causing, or potentially will cause, massive disruption to the people of Garra.

There was an alternative, Madam Speaker, if the Canberra Liberals had won. It is my greatest single regret that the rebuild of the Canberra Hospital, which was the bipartisan position, did not get underway. If the Canberra Liberals had won, it would be well on its way. We would see that five-storey tower building mostly built, ready to be open in the short term. It would have provided the long-term health fix that this territory needs so desperately, rather than a political fix to solve an election problem for this Labor Party and the Greens.

MRS JONES (Murrumbidgee) (10.20): I have grave concerns that yet again the government have no intention of actually listening to the community. They claim that they are consulting, but they have already decided on the location of this building.

Gilmore Crescent and Palmer Street are already incredibly busy. The minister accepted and stated as much yesterday in the chamber. It is illogical to dig in and choose not to listen if the location is not the best location that it can be. No rationale has been given in this place or to the community as to why we have dug in and decided that this is the only place it can be. You should know better after so many times of having basically the same debate in this place over and over again. The Labor Party think they know better than the community what is good for them.

Question resolved in the affirmative.

Out-of-order petition

MS LAWDER (Brindabella) (10.22): I seek leave to table an out-of-order petition, relating to a development in Kambah.

Leave granted.

MS LAWDER: I present the following paper:

Petition which does not conform with the standing orders—Development Application DA201935811—Block 4, Section 239, Kambah—Ms Lawder (167 signatures).

I seek leave to speak to the paper.

Leave granted.

MS LAWDER: I am pleased to present the out-of-order petition on behalf of residents of Kambah, and of Canberra more generally, who are expressing their objection to development application 201935811 at Marigal Gardens retirement village.

I have visited the site with residents. One of the many things that has been raised with me is the fact that the sign outside the development is the sign for the development application for the 2015 stage 1 development of 71 single-storey dwellings. Stage 2, which is what we are talking about here with this application number, is the construction of four buildings up to four storeys containing 75 dwellings.

The residents I have spoken to are not opposed to the development per se but they are concerned about the proposed height. They fear overshadowing and overlooking of their gardens, et cetera. The best thing for me to do is read out just one of the numerous emails I have received from local residents. This resident says:

You may be unaware, the development application above for Marigal Gardens has been released. A significant number of neighbours are very concerned about the negative impact a development of this height and bulk will have on the amenity currently enjoyed by those in this neighbourhood.

The proposal states the buildings will be 4 storeys, this however is misleading as the structure will actually rise to 5 levels. I suspect this is a deliberate wording to mislead those viewing the DA in a cursory manner.

While this development is for four storeys all the neighbours, I have spoken to remember the original proposal was for only 2/3 levels along the O'Halloran St boundary, up to the corner at Snodgrass Crescent.

Both the bulk and the height are certainly not in keeping with the current character of the surrounding area.

As stated in part 8.0 of the Impact Assessment in the plan ...

“The proposed apartments are not out of character with and will not have a significant adverse impact on any surrounding land uses or the residential amenity of Kambah and surrounding areas.”

We neighbours totally refute this statement based on the fact there are currently no other residential buildings above 2 levels within Kambah and the surrounding suburbs (not including the Tuggeranong township)

The current DA states

“the building height is consistent with conditions agreed upon with the ACT government at the time of sale” and “this proposal is similar to other developments that have recently been approved in other outer suburban areas such as Higgins ...”

The resident goes on to say:

I would be interested to know what agreement was in place with the ACT government at the time of the sale as this appears to me to be in conflict with parts of the Territory plan.

The approval of this stage of the development in its current form would create a precedent for Kambah and other suburbs and allow other developments of similar bulk and height, which is out of keeping with the current neighbourhood.

The current stages 2 and 3 of Marigal gardens, consists of 71 single level dwellings that have little individual garden space and are crammed in; however, they are in keeping with other residences in the surrounding area. The newly proposed buildings do not.

Most of the adjacent residences (although across the road) will have significant overlook from these 15 plus metre buildings and their line of site to horizons and Mt Taylor will effectively disappear. Most, if not all the residences across from the development are north facing, and so the majority of the outdoor space enjoyed and views from windows will be impacted negatively.

Considering mental health can be significantly impacted by loss of privacy (subjective or real) and the ability to enjoy ones outside surroundings, this development in its current form will have a significant negative impact on those neighbours living nearby, whereby the line of sight and current views of openness are removed.

This email is to ask you, as an ACT representative, to seriously look into the plans for this development and represent our concerns to those parties concerned.

With the election looming in the near future we feel this is an opportunity for you to represent Kambah and the Tuggeranong area and provide some leadership regarding the future character of established suburbs.

I am happy to host a visit where you will be able to better assess the impact such a design will have on the adjacent neighbours. If I myself am unavailable (as I work fulltime) I am sure I can arrange for someone else to meet with you. I do

think the impact these buildings will have can be experienced from the street, taking into account the streetlights are apparently around the 15m height.

The resident finishes:

I look forward to your reply and am happy to provide any additional detail, if possible, on the expected impact of the proposal.

We will be addressing the DA via objections and are currently in the process of collecting signatures for a petition regarding the development.

I am pleased to present this out-of-order petition today expressing people's objection to development application 201935811 at Marigal Gardens retirement village.

Standing orders—suspension

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

That so much of standing orders be suspended as would prevent notice No 1, Assembly business, relating to indigenous language in the Assembly, being called on and debated forthwith.

Visitors

MADAM SPEAKER: I acknowledge the presence of a number of members of the local Ngunnawal community. Thank you for coming to the Assembly.

Indigenous language in the Assembly

MR RATTENBURY (Kurrajong) (10.28): I move the motion standing in our names on the notice paper relating to indigenous language in the Assembly:

That this Assembly:

(1) notes the:

- (a) International Year of Indigenous Languages is a United Nations observance in 2019 that aims to raise awareness of the consequences of the endangerment of Indigenous languages across the world, with an aim to establish a link between language, development, peace, and reconciliation;
- (b) ACT Government is a signatory to the Aboriginal and Torres Strait Islander Agreement 2019-2028, in which all directorates have a role to play;
- (c) Agreement acknowledges the Ngunnawal people as traditional custodians of the Canberra region; and
- (d) interest from the community in establishing a Ngunnawal language centre and supporting ongoing revitalisation of local Ngunnawal language;

(2) further notes that the:

- (a) voice of the Ngunnawal people is reflected in the United Ngunnawal Elders Council (UNEC);

- (b) ACT has an Aboriginal and Torres Strait Islander Elected Body, to enable the community to have a strong democratically elected voice;
 - (c) Speaker makes a formal recognition that the Assembly is meeting on the lands of the Ngunnawal people as traditional custodians each sitting day; and
 - (d) ACT is the only jurisdiction to hold a public holiday for Reconciliation Day;
- (3) further notes the:
- (a) ACT Greens MLAs also have a Reconciliation Action Plan (RAP), which commits them to lodging this motion in the Assembly;
 - (b) Australian Labor Party has a national RAP, launched in December 2018; and
 - (c) Canberra Liberals have developed a policy document titled Improving the lives of Aboriginal and Torres Strait Islander peoples of the ACT; and
- (4) calls on the ACT Legislative Assembly to:
- (a) use a Ngunnawal language introduction at the beginning of each Assembly sitting day;
 - (b) consult with members of the UNEC and other Ngunnawal Elders in order to agree on the appropriate use of words;
 - (c) make cultural awareness training available to all Members of the Assembly, including in the correct pronunciation of the agreed words;
 - (d) use these Ngunnawal words to formally recognise that the Assembly is meeting on the lands of the Ngunnawal traditional custodians each sitting day, by the end of the Ninth Assembly; and
 - (e) amend the standing orders accordingly and ensure that the words are accurately reflected in the daily Minutes of Proceedings and Hansard.

It is with great pleasure that I rise today to speak to this item of Assembly business. Firstly, I, too acknowledge the elders present in the chamber, and I say yumalundi—welcome. As a member of this Legislative Assembly I pay my respects to you and to the elders who have come before you. I thank you for your ongoing contributions to our community and your nurturing of emerging elders. I thank you for the ongoing education that you provide regarding your language and your culture, and I look forward to learning more over the coming years as more knowledge is recovered and shared.

The other reason I have great pleasure in speaking about this item today is that I know that there is tripartisan support and agreement to introduce a Ngunnawal language acknowledgement of country on sitting days across the Assembly. I thank the co-sponsors of this motion for joining me in bringing it forward. This is the first time in the history of this Assembly that a motion has been co-sponsored by all three parties. This signifies that in spite of our political differences on the issue of recognition of our local Aboriginal people, the Ngunnawal people, we are united, as we should be.

This motion recognises that each party in the Legislative Assembly has put time and effort into considering issues for local Aboriginal and Torres Strait Islander people in our local community. While we may not always agree on the best way forward, there is joint commitment to improve the lives of Aboriginals and Torres Strait Islanders in the territory and focus on efforts that reduce racism and inequality.

The ACT Greens have developed a reflect reconciliation action plan, or a RAP, which we launched in May this year and in which we committed to tabling this motion in the Assembly. The development of the RAP has involved our entire joint staff team, members of which have proactively ensured that our commitments are followed through.

Whilst we recognise the Ngunnawal people as the local traditional custodians, I also note that Ngunnawal country is surrounded by neighbouring tribes, including the Wiradjuri to the west, Walgalu to the south, Yuin to the east coast, Ngarigo to the south east, Gundungdurra to the north east, and Ngambri, who travel to Ngunnawal country for initiations, marriage arrangements, trade, seasonal foods and the sharing of lore and ceremony with the Ngunnawal people, as they have done for thousands of years.

This collaboration and exchange continues in some form through to today, and so I also acknowledge the contributions of Aboriginal and Torres Strait Islander people from other clan groups who add value to our community and who contribute to a broader understanding of Aboriginal culture and traditions and connection to land and language in this region.

I mention specifically the United Ngunnawal Elders Council, members of whom we have consulted in developing this motion and whose connection to this region has existed for tens of thousands of years. I also acknowledge the contributions of the Aboriginal and Torres Strait Islander Elected Body chair, from whom we also sought advice. I acknowledge the specific ongoing contributions of the caring for country mobs, the registered aboriginal organisations who have an important role in providing advice in the development of conservation management plans for Ngunnawal heritage and places with archaeological significance. It is their knowledge from which we draw our learnings and from which we grow in understanding.

As noted in the motion, this year is the International Year of Indigenous Languages. It is time to raise awareness of the consequences of the endangerment of Indigenous languages. This motion is but one small way that we can draw a link between language, development, peace and reconciliation. This is one small way we can help keep language alive and relevant. This is one small way in which we recognise that connections to language are central to identity and culture.

It acknowledges, too, that in our own region the Ngunnawal people, just as those from other clan groups, were denied the right to speak their own language. We have heard accounts from times gone by where Aboriginal people, some still alive today, were held forcibly on the missions in our region and not allowed to speak in language. It was forbidden and they were punished for doing so. This meant that the elders who

were fluent in the language stopped speaking it and it meant, almost catastrophically, that their children did not learn the language. This is a result of European occupation, dispossession of lands and forced denial of their existing language and culture. The damage done was significant, life altering and remains today.

We are fortunate that in these times there is a shift and that across the country first nations languages are beginning to receive the focus and respect they need. It will, however, continue to be a struggle as many words have been lost. Some may never be recovered, and that is a source of shame. That is what history has done and that is what we must seek to rectify as much as we can.

Not that I rely on Wikipedia as a source, but it is interesting to note that Wikipedia describes Ngunnawal language as being extinct. That is contested by many, including those present who are working on language recovery, rescue and revitalisation. It is through their efforts that we are learning more. Linguists, anthropologists and genealogists are all working to restore, recover and revitalise traditional languages, including the Ngunnawal language which is specific to this region.

It is my hope that in years to come, we will know these words by heart; we will be using specific Ngunnawal words in our everyday interactions with each other. It is starting already with a simple yuma for hello and yarra for goodbye being used at the beginning and end of each news bulletin on our local ABC TV. This repeated exposure to the language assists in its retention and reminds us on a daily basis that English is not the native tongue of the original inhabitants of this area or of this nation. Furthermore, it sends a clear message to local Ngunnawal people that we are listening, that we value your language and that we acknowledge how important language is to enhance connection with culture. That is what this motion is doing today.

While in some ways the motion is a small gesture, in many ways it is an action that speaks louder than words. This is an action each of us can embrace, and by doing so we pay our respects, we acknowledge the ongoing connection of the Ngunnawal people to this land, this special meeting place where clans have met for thousands of years.

As members of this Assembly we can take a leadership role in the community by using Ngunnawal language, demonstrating actions of reconciliation and recognition on the public record, helping to bring deeper understanding to a wider cross-section of our community. This motion calls on the Assembly to consult with members of the United Ngunnawal Elders Council and other recognised Ngunnawal elders in order to determine and agree on the words to be used. In this way we are enabling self-determination and choice, which are integral to the Aboriginal and Torres Strait Islander agreement and which should be integral with how we all engage with Aboriginal and Torres Strait Islander people in this region.

Furthermore, the motion calls for cultural awareness training to be made available for members of the Assembly, including the correct pronunciation of the Ngunnawal words. I know we all have some learning to do in that space. I am aware that this may be a time-consuming and complex process, but this work must underpin the end result.

As noted in the motion, there is interest from the community in establishing a Ngunnawal language centre, and we must ensure that the community members highlighting the need for such a centre are included in the consultation about which words will be used. The establishment of a Ngunnawal language centre in and of itself will support the community to fill in the gaps in Ngunnawal language, noting that at this time it does not have everyday application.

It is my hope that in the future Ngunnawal language will be taught in local schools. First languages across the nation are currently endangered and it would be a positive step if we were able to teach all children at least a few words. Many people know how to say hello in foreign languages such as French, German, Spanish, Indonesian, Japanese or Chinese, but very few know how to say hello in a first nation language. How wonderful it would be if simple Aboriginal words became part of our everyday vernacular in the years to come. That is my hope, and this motion is but one small step in that direction.

Finally, the motion calls on the Assembly to amend the standing orders accordingly to ensure that an accurate reflection of the words used is recorded in daily minutes and *Hansard*. Currently *Hansard* and daily minutes record only that an acknowledgement of traditional custodians was made and do not reflect the actual words spoken in the chamber.

I am aware that this consultation process may take some time, but I hope that it commences before the end of this year to enable agreement of the words to be used and enactment of the intent of this motion in 2020 before the next election. I note that there is already an agreement for the first sitting day of the Tenth Assembly to commence with a welcome to country given by local traditional custodians. This motion ensures that Ngunnawal language will be spoken on every sitting day, conceivably preceding this event and setting the scene for that day, but definitely continuing thereafter in that spirit. This goes some way to preserving the world's longest continuous living culture and affords the Ngunnawal the respect they deserve as traditional custodians of this land on which we live, work and play.

I thank Veronica Wensing from our team for the significant work she has put in to consulting with the elders and doing the research behind this to make sure that the Assembly approaches this correctly and that we share as much knowledge as we can learn with our community through this process. This motion demonstrates our *yindyamurra*—our respect for the Ngunnawal people of this region—and I commend this motion to the Assembly.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Health and Minister for Urban Renewal) (10.39): I thank Mr Rattenbury for introducing this motion. It is a pleasure to rise on behalf of ACT Labor to jointly sponsor and to support this motion today. As Mr Rattenbury said, it is important that we have tripartite support for the motion in this place. This follows the precedent set of tripartisan support for Reconciliation Day and for the move to acknowledge the traditional custodians each day in this place, as we now do.

I would like to acknowledge the Ngunnawal people, the traditional custodians of the land we are meeting on, and pay my respects to elders, past, present and emerging, and particularly to acknowledge those who are here in the chamber with us today and other Aboriginal and Torres Strait Islander people who are joining us, including the chair and other members of the elected body.

I also extend my thanks to Veronica, in Minister Rattenbury's office, for the work that has been done on this motion. I acknowledge that the Greens have indeed led on this motion. It is very pleasing to see that it is now being delivered in the spirit of tripartisanship, with the Assembly coming together as a whole to support this very important move.

This year is the International Year of Indigenous Languages, which aims to raise awareness of the consequences of the endangerment of Indigenous languages across the world. Around 120 Aboriginal and Torres Strait Islander languages are still spoken in Australia, but that is less than half of the estimated 250 languages thought to have been in use across the country at the time of colonisation.

Too many Aboriginal and Torres Strait Islander languages have been lost. This devastating outcome of colonisation is due to decades of past government policies and practices that banned Aboriginal and Torres Strait Islander people from speaking their language. Those taken to reserves or missions lost their language due to racist policies and practices of past governments and institutions.

Caroline Hughes spoke eloquently this morning on the radio, as she so often does, about the impact of this loss of language on members of the stolen generation and on those who have come after. The stolen generation were taken from family and country. They were not allowed to speak their language and, upon returning to their country and to their families, they were unable to communicate with them in their own language. They could not speak the language of their parents, their grandparents and their community. This had a devastating impact on the sense of identity and culture. For the languages that are still spoken, many of them will continue to be under threat if there is an insufficient number of speakers and insufficient resources to sustain them into the future.

Here in the ACT the Ngunnawal people are the proud holders of a vibrant and dynamic culture with its own traditions, law and, of course, language. It is very important for me to recognise the work that members of the Ngunnawal community have done in recent years, which has really gathered momentum in recent months to revitalise their language. I had the privilege of dropping in briefly to the recent Ngunnawal language workshop earlier this month and the room was full of enthusiasm, from elders and from younger people. It has been particularly pleasing to hear about elders learning the language that was denied to them in their youth, rediscovering that critical, important part of their culture, sharing that with one another, and finding the confidence to share it with the broader community. The change in that, just within the past two or three years, has been quite astonishing and moving for all of us and, I know, also for those elders.

This particular event was supported by the Chief Minister, Treasury and Economic Development Directorate as part of its reconciliation action plan. The government looks forward to continuing to work with members of the Ngunnawal community as these events evolve and, hopefully, are held again in the future.

I particularly want to acknowledge the leadership and work underway by the Ngunnawal community on the Ngunnawal language centre proposal, which is mentioned in the motion. The ACT government and ACT Labor absolutely recognise the importance of keeping language strong and sharing it with new speakers. We look forward to continuing our discussions on a Ngunnawal language centre with members of the Ngunnawal community, and particularly its elders.

I also welcome the continuing and evolving conversation in the broader community about a Ngunnawal language centre. The enthusiasm of the Canberra community and their active engagement in this project will be an important part of its development, and, in itself, part of our broader community's acts of reconciliation here in our wonderful capital city, where we so often take the lead.

Madam Speaker, as you know, the ACT Aboriginal and Torres Strait Islander agreement 2019-2028 was signed in February this year by the ACT government with the chair of the Aboriginal and Torres Strait Islander Elected Body. The agreement includes 10 focus area action plans which outline the key actions to be progressed in the first three years of the agreement.

Included under the core focus area of cultural integrity and the significant focus area of lifelong learning, the ACT government is committed to, among other things, embedding Aboriginal and Torres Strait Islander perspectives into learning programs, with a focus on local history, culture and knowledge, and assisting teachers in becoming confident and capable in teaching Aboriginal and Torres Strait Islander students, with their histories, cultures and languages visible throughout school communities and learning programs.

These focus areas and associated action plans were driven by the ACT Aboriginal and Torres Strait Islander Elected Body as an important issue for the ACT Aboriginal and Torres Strait Islander community. I have no doubt that the elected body will be closely following their progress.

I am pleased to say that work is progressing on recognising, strengthening and celebrating Ngunnawal language across Canberra. Of course, at the core of this is the Australian Institute of Aboriginal and Torres Strait Islander Studies, which does world-leading work on revitalising, capturing and sharing Aboriginal and Torres Strait Islander languages across Australia.

In 2014 AIATSIS and the Ngaiyurijja Ngunawal Language Group signed a cooperative research agreement to revitalise the Ngunnawal language of the ACT. Ngunnawal community members and elders have spoken about how important the work done by and with AIATSIS has been in the revitalisation of the Ngunnawal language. We should all be incredibly proud of this work that happens right here in

Canberra. This is the work, as Minister Rattenbury has said, that enables us to greet one another with “yuma” and to acknowledge country in language, as the Chief Minister has recently been doing and as we are proposing to do in this motion. It is only through rediscovering and revitalising this language that we will be able to use it with one another, and, of course, with the first nations people of this land, who own that language, who own that culture, who own that law and who so generously share it with us.

The ACT government also administers the Aboriginal and Torres Strait Islander cultural grants, to support Aboriginal and Torres Strait Islander community in celebrating, strengthening and promoting cultural heritage. Recipients of cultural grants include the creation of a Ngunnawal education kit rolled out to early learning centres throughout Canberra, teaching children about Ngunnawal culture.

While work is underway to revitalise and strengthen Ngunnawal language in the ACT, there is absolutely more to do. This seemingly small change in the way this place operates will be an important statement and a reminder for all of us here and the wider ACT community of the importance of language to the Ngunnawal people and all Aboriginal and Torres Strait Islander peoples. It is a symbol of what we can all do as Australians to do our bit in strengthening and supporting Aboriginal and Torres Strait Islander languages and cultures, as part of our ongoing journey of reconciliation. It is a reminder that the land we walk on always was, and always will be, Aboriginal land.

The Uluru statement from the heart outlines a generous vision of walking together for a shared future. This can only be done by recognising the impact of colonisation across our society; and, yes, that means in our parliaments. The Ngunnawal community have also reached out the hand of friendship and reconciliation, as they do each time a member of the community, an elder, welcomes us to country, as so often happens at so many events. Each time it is touching and thought provoking to be reminded that we are walking on land that has been cared for, that has been an important meeting place, that has been part of Ngunnawal people for tens of thousands of years.

This change that we are proposing today is another step towards that recognition here in our parliament. Incorporating the traditions, language and conventions of this country, Ngunnawal country, in how the Assembly operates will strengthen this place and will be a further reminder to each of us of our responsibilities to the first peoples of this beautiful place that we call home each and every day.

MR MILLIGAN (Yerrabi) (10.50): I would like, firstly, to thank Mr Rattenbury for bringing forward this motion and, of course, Minister Stephen-Smith for confirming her support for this motion today as well.

I would like to acknowledge Aunty Caroline Hughes, who is here today, the chair of the Aboriginal and Torres Strait Islander Elected Body, Katrina Fanning, other members of the elected body who are here today and all other local Ngunnawal community members who are also here.

It is rare that all three parties can stand united on an issue. I think that it is extremely positive that we can take a tripartisan approach to reaffirming the importance of Indigenous languages. A quote that I read recently, that got me thinking, was, "Language is a road map of culture. It tells you where people come from and where they are going."

This is true of any language, any people, country or region. However, what is different for Australia's first people is that many of their languages have been lost. I would like to acknowledge the work of the Australian Institute of Aboriginal and Torres Strait Islander Studies, who have done a remarkable job in bringing back Indigenous language, not just here for Ngunnawal but right across the country. That is why I am pleased to stand here today to outline the Canberra Liberals' support for this motion.

Having the acknowledgement of country spoken by our Speaker in the Ngunnawal language is a small but significant gesture. Learning and using Indigenous language is important not just for Aboriginal and Torres Strait Islander peoples but for everyone in the Canberra community. The more language that is shared and understood, the more likely it is that it will endure and never be lost again. The more we, as non-Indigenous Australians, learn about our first people, the better we can work together towards a shared future.

That is what the Canberra Liberals have in fact been doing: listening, learning and trying to understand the issues impacting our community. As referenced in this motion, in March this year we released our policy document, a publication called "Improving the lives of Aboriginal and Torres Strait Islander peoples of the ACT". This publication marked a significant turning point for Indigenous affairs in the ACT, as it showed what can be achieved by really getting to the bottom of the issues impacting the daily lives of our local community.

The overarching policy statement enshrined the way that we want to approach these issues as a political party. We want to work with and empower the Indigenous community to reach their potential. We know that they have their own stories and strengths to inform their futures. We do not want to tell Aboriginal and Torres Strait Islander people what they need; we do not want to impose mainstream solutions if there is an alternative.

We want to foster real and meaningful policy solutions so that the community can really demonstrate self-determination. We want to enable community organisations to nurture and grow future leaders. We want to support kids at school to pursue their dreams and establish healthy habits at a young age. Providing tutoring, bringing the Clontarf Foundation to Canberra and supporting Gugan Gulwan with better facilities are all part of this plan.

We want to support families with flexible and culturally appropriate health care. We want families to have choice when it comes to housing, and we want to return Boomanulla Oval to community control. This is where we could potentially see an Indigenous language centre established, at the Boomanulla Oval centre. We want to support more Indigenous businesses to grow and emerge, and create new talent.

We are also not afraid to tackle some of the most harmful and damaging issues impacting on individuals, families and the Indigenous community: better and more holistic support for Indigenous people trapped in the justice system; common-sense solutions like having an Indigenous parole officer to provide more tailored case management; and developing a culturally appropriate alcohol and drug rehabilitation program.

The 18 policy initiatives that we released in March were an important step for us, just as this motion is today. But the work will not stop here. I am committed to continuing this work with my colleagues on areas such as child protection, languages, domestic violence, policing, and so many more.

Importantly, this work will not occur without support and guidance from the local Aboriginal and Torres Strait Islander community. That is just one of the reasons that we are supporting this motion today. It shows that we are willing to learn and embrace their culture, and it shows that, together, we can work towards a bright and positive future. I commend this motion to the Assembly.

MRS KIKKERT (Ginninderra) (10.55): I thank Mr Rattenbury for bringing forward this important motion. As a migrant from Tonga, and with my father being from the ancient capital city of Tonga, I know the importance of understanding history, culture and language. Every time I visit my father's ancient village, I feel like I am treading on sacred ground. Walking the land where my ancestors walked and lived is a privilege to me.

Likewise I am honoured to be walking on this sacred land. Our first people here in Canberra walked on and worked the ground. They had their own language and culture, one that I find fascinating and beautiful. It is wonderful that we can begin this pathway of recognising our first people's language and teaching it to others. This is really exciting, because when you speak in a native language, you learn.

I am reminded that my Tongan relatives who live in New Zealand were taught how to speak the Maori language for many decades. When we have a reunion, they sing in Maori, not Tongan, and they perform the haka.

I know that, just as my family have embraced the New Zealand Maori language and culture, we here in Canberra will also embrace, love and adore our first native language here in Canberra. This is an exciting pathway and I cannot wait to see the outcome of it in years to come.

Congratulations to our Ngunnawal brothers and sisters. We may come from different lands but we are one human family. May your language prosper here in Canberra forever and ever.

Question resolved in the affirmative.

At 10.58, the sitting was suspended until the ringing of the bells.

The bells having been rung, Madam Assistant Speaker (Ms Lee) resumed the chair at 11.04.

Mental health services for the deaf and deafblind community

Ministerial statement

MR RATTENBURY (Kurrajong—Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health) (11.04): Pursuant to my commitment in response to a resolution of this Assembly on 25 September this year, I rise to make the following statement on mental health services for deaf, deafblind and hearing impaired Canberrans. We know that in Australia vulnerable groups within our community are more likely to experience poor mental health and unfortunately are likely to experience worse outcomes as a result.

In the case of the deaf community, this is due not only to the challenges of engaging in a hearing world but also due to communication challenges posed by limited use of Auslan, the official Australian sign language, by professionals of all kinds. This is compounded by a reliance on a limited pool of skilled interpreters and perhaps a lessened understanding that deafness is not just about being unable to hear but also is a unique and proud cultural identity for many deaf Canberrans.

Since September this year the ACT Health Directorate and my office have consulted with key stakeholders in the ACT community, including organisations, deaf and deafblind people, to discuss the concerns and experiences of this community. I would also like to make it clear from the outset that while some conversations have been had, our engagement with the community on this issue is ongoing. Even as I make this statement, more meetings are scheduled to seek the views of stakeholders, advocacy groups and deaf Canberrans. This will inform ongoing work towards identifying and minimising gaps in mental health service access for the deaf community.

I would like to acknowledge the challenges that have been shared during the past two months and recognise the frustration felt by the deaf community following the withdrawal of an individual provider from the ACT. It is with these challenges in mind that I want to work towards a system that recognises and celebrates the cultural identity of the deaf community through proactive strategies that create equally accessible services and a system that is not reliant upon individual providers to ensure access.

It is clear from discussions with deaf Canberrans and from speaking with key organisations such as the Deaf Society and the ACT Deafness Resource Centre that the issues impacting deaf Canberrans are manifold. As such, I would like to speak about each issue separately to ensure that they are recorded in this Assembly and to voice my commitment to continuing this work with the deaf community into the future. Some matters will be able to be addressed quickly while others reflect the challenges experienced by deaf people across Australia and the world. These will take more time. We will, however, work toward them all the same.

Firstly, I would like to talk about the impact felt by deaf Canberrans as a result of supporting each other. As you would be aware, Madam Assistant Speaker, when people feel depressed, anxious or experience other mental illnesses, one of the first

points of contact is often family and friends. I am told that as a deaf person this means you would often reach out to another deaf person for help as someone who understands your culture and your language, someone with whom you do not have to struggle to make yourself understood.

This is a natural choice but it is not without impact. Like any community, the deaf community has people who serve as leaders or support figures and these people are often impacted personally as a result of providing this support. In addition to this, deaf friends who feel that they do not know how to help or who are unable to find supports for themselves or their friends when they are unwell are also impacted.

However, not all deaf and deafblind people will reach out for help, as one of the impacts of deafness is often isolation: isolation from family with whom you may struggle to communicate, isolation from friends who may not understand you when you speak to them in your language, and isolation from services that may not be equipped to provide an immediate response due to a lack of understanding.

We provide training for our community on how to provide mental health first aid. We provide training on cultural awareness for Aboriginal and Torres Strait Islander people and we provide training for service providers to engage with culturally and linguistically diverse groups. So it makes sense that we would seek to provide culturally appropriate training for the deaf community and the people and services that support them.

The ACT Health Directorate will investigate with stakeholders the potential for resources such as the development of an adapted mental health first aid course for deaf people. Such ideas are more than translating the written word or having an interpreter present at the training. This has a strong cultural component that will hopefully lead to resources that better enable deaf people in Canberra. This is important work that will take time to develop correctly and consultatively.

I would also like to talk about the mental health service sector and how we can ensure that it is accessible and as effective as possible in supporting deaf Canberrans. I understand the value placed on access to mental health support practitioners who are qualified in Auslan in the ACT. I also understand that people may feel vulnerable or uncomfortable describing mental illness to professionals whilst relying on interpreters to relay what they are expressing in a different language.

Unfortunately, skilled mental health practitioners trained in Auslan are in short supply and high demand across Australia. However, I am pleased to learn that the Deaf Society has commenced planning for an internship program for newly qualified interpreters that will support the ongoing development of their skills and technical ability as their career in Auslan interpreting continues.

This internship program aims to support level 2 interpreters to gain the necessary technical experience to practise as a level 3 in complex settings such as health, mental health and legal environments. This experience is a requirement of recognition and qualification as a level 3 interpreter, which allows them to provide services in complex and technical settings such as those I have just mentioned.

In addition to this, I will be seeking advice regarding how training for Auslan interpreters could be expanded or developed to support interpreters to gain a greater understanding of mental health, mental health services, and some of the challenges that people face when seeking to understand their own diagnosis and wellbeing. All of these initiatives are a step forward, but they are not a complete solution to the issues facing deaf communities around Australia. Work toward ensuring better access and availability of qualified and highly skilled interpreters will continue into the future.

In the ACT we perhaps face a greater challenge than our larger state and territory counterparts due to the small nature of our community and the challenges associated with ensuring sustainable access to interpreters. On any given day, two conflicting appointments may mean someone struggles to get assistance from an interpreter.

I can advise that the Deaf Society has worked closely with Skills Canberra through our skilled capital program to provide Auslan courses over many years. I am pleased to learn that this relationship continues. I understand that all parties are seeking ways to meet the needs arising in the community.

I can also advise that Canberra Health Services are committed to providing flexible, supportive and available interpreter services whenever they are needed. This work will further develop our thinking on how these service can be made even more accessible.

Perhaps the most important issue in all of this debate is awareness. Increased awareness can bring a better understanding of culture and a better ability to communicate and participate. This is crucial to helping to support the mental health and wellbeing of deaf and deafblind people in the ACT. Developing this kind of awareness is a complex undertaking, one that requires analysis, planning, collaboration and commitment. However, I believe it is possible to give everyone in the ACT opportunities to learn about different cultures and how to communicate together in new ways.

This could be targeted in a number of ways. Some of the suggestions I have heard to date include innovative ideas, for example, the suggestions that the delivery of Auslan courses could be made available in schools or in workplaces which could help interested people to learn a new language and engage with our deaf community.

While this type of example would require long-term work, I believe innovative ideas could make a significant change for the deaf community in Canberra. There is no single answer or easy path to address the issues facing deaf Canberrans, and I conclude by thanking Ms Lawder for her passion in bringing this issue forward. I look forward to her support and participation in creating a way forward to ensure that service accessibility remains a core quality of our mental health services.

As the Minister for Mental Health, I will continue to keep the Legislative Assembly and the public up to date with our work. I present a copy of the statement:

Deaf and deafblind community—Mental health services—Response to the resolution of the Assembly of 25 September 2019—Ministerial statement, 28 November 2019.

I move:

That the Assembly take note of the paper.

MS LAWDER (Brindabella) (11.14): I thank Mr Rattenbury for his statement in response to the motion I brought to the Assembly two months ago. There are a number of promising signs, but I am concerned that nothing is in place now that will help any member of our deaf community with crisis mental health support. I would also like to acknowledge the leaders in our deaf community here in Canberra. Many members of our deaf community go to them for support and advice. That puts a sort of cumulative weight onto those leaders as they are aware of the very difficult circumstances that some of our residents, some of our deaf community, are in. I hope that they can also take the time to look after themselves and their own mental health as a result of people coming to them as leaders in the community.

Mr Rattenbury has talked about the lack or short supply of Auslan interpreters and the high demand for Auslan interpreters. It should hardly be a surprise. Last term I spoke time and time again about issues relating to interpreters in the ACT, especially with regards to the Auslan courses at CIT and the government's decision to scrap those courses. That is why we now have the Deaf Society in the ACT. But the scrapping of the Auslan courses at CIT was obviously going to have a flow-on effect here for our deaf community members. It was cutting off a ready supply of people who might go on to be interpreters. That also combined with additional demand or additional ability of people to access Auslan interpreters because of the introduction of the NDIS. This gave members of our deaf community the greater ability to engage interpreters, whereas it used to be more expensive for them, for example, to engage Auslan interpreters.

I again thank Mr Rattenbury for taking this very important issue of mental health on board. It is important for everyone in our community. Of course, there are some specific groups who have specific needs and we need to try to address this. There is no one-size-fits-all solution.

I will take as stated Mr Rattenbury's comments about possible avenues to explore to address and support the issue of mental health in our deaf community, but I am disappointed that there has been no particular or firm commitment to any changes at this time. I will remain committed to finding a way forward. I will remain committed to supporting and advocating for members of our deaf community here in the ACT. I will continue to bring forward those issues at any opportunity to ensure that they are not left behind and left out in the ACT.

Question resolved in the affirmative.

Access to hydrotherapy

Ministerial statement

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Health and

Minister for Urban Renewal) (11.18): I rise today in response to the Assembly's resolution to provide an update on progress to provide alternative arrangements to the Canberra Hospital hydrotherapy pool. The resolution called on the ACT government to report back to the Assembly by the last sitting day of 2019 on the further progress in implementing the recommendations in the Nous report, including in relation to the market sounding process and the process of supporting pool users to access other suitable locations.

Earlier this year the ACT government engaged Nous Group to undertake an assessment of access to hydrotherapy in the ACT. Today I will be providing members, and the community, with an update on progress on the recommendations from the Nous report.

The government has been open in its communication with Arthritis ACT and members to keep the pool open until a way forward is identified. In line with the government's commitment, Canberra Health Services has extended the hydrotherapy pool user agreement with Arthritis ACT until 31 December 2019.

Nous worked closely with Arthritis ACT in the development of its report, as well as their members and users of the Canberra Hospital hydrotherapy pool. The Weston Creek Community Council and Sharing Places were included as part of the community consultation. Nous also worked with government officials from Canberra Health Services and the education and health directorates to ensure that the views of a range of clinical and allied health professionals were incorporated.

The Nous report outlines the contributing factors that have led to the situation we find ourselves in today. I will provide members and the community today with an update on the recommendations, and the progress against each one.

Recommendation 1 of the report was that Canberra Health Services and the ACT Health Directorate should:

...engage quickly and in enough depth with Arthritis ACT to make clear the basis on which it has drawn its conclusions regarding the safety and fit for purpose condition of the TCH pool. This should be a defined and time-bounded process, of weeks at most.

As I previously reported, this recommendation was essentially completed on 7 August 2019, when the ACT Health Directorate met with the Arthritis ACT board, its members and users of the Canberra Hospital hydrotherapy pool to present the Nous Group report and its recommendations. Canberra Health Services outlined the current condition and safety issues with the hydrotherapy pool at Canberra Hospital, explaining the infrastructure and safety issues in more detail. Arthritis ACT's members were able to ask questions and have their concerns taken on board in the forum.

I understand that, in looking at the pool, one might have the impression that it is fit for purpose, safe and not suffering from extensive maintenance issues. However, the infrastructure supporting the pool's operation deems it unsafe and not fit for purpose.

The hydrotherapy pool at Canberra Hospital was built during the 1970s and is close to 50 years old. Over the past 10 years there has been significant remedial work to address maintenance issues with the pool. In 2009 the pool was closed to allow for significant work to fix water leaking from the pool through the concrete slab into the pool plant and equipment room. At the time all the tiles were replaced in the pool, the tanking was replaced, remedial work was undertaken on the lintel, the access ladder to the plant room was remediated and a new elevated walkway was installed in the plant room. These works were carried out to ensure that the pool would be operational for a limited period of time.

The pool was again closed in late 2015 for additional maintenance. At this time the leaking chemical injectors and leaking pipes were fixed, a water tank was removed, and lighting was replaced. There were bathroom repairs and painting, and overall safety improvements made.

One of the main reasons the hydrotherapy pool at Canberra Hospital needs to close is the location of the plant and equipment room underneath the pool area. As I have noted before, access is a single egress point and the plant room is a confined space. This poses a significant safety risk to maintenance staff. In addition, due to the age of the mechanical plant, some spare parts are no longer manufactured and there are concerns that if there are issues with the mechanical switchboard plant there are no spare parts in the event of equipment failure. The electrical and heating ventilation and air-conditioning plant is at end of life and could fail without notice. Were the pool to remain open, the air-conditioning system would require a significant and costly upgrade to remain compliant with Australian standards.

The Nous report acknowledges that the current situation “presents an increased staff safety risk in the event of emergency such as a fire or pool chemical spill”. It also says:

In addition to the concerns regarding the mechanics of the pool, it has also been suggested that the pool is no longer fit for purpose.

This observation is further supported as the current pool does not meet the Australian Standard for hydrotherapy pools or the Australasian health facility guidelines for hydrotherapy pools.

In September this year, the hydrotherapy pool basement plant room was closed pending resolution of some urgent workplace health and safety issues that required remediation before maintenance access to the plant room was reinstated.

It is clear that the Canberra Hospital hydrotherapy pool is at the end of its life and needs to close. In a situation like this, the government has no choice but to accept the advice of infrastructure and management officials and senior medical professionals. The ACT government has continued to invest money in this ageing asset for several years. But the pool is no longer up to standard and it is not sustainable to maintain it into the future. As stated in the Nous report:

... the risk to personnel safety is unacceptable and is not one that the organisation can continue to carry.

At the forum on 7 August 2019, Ms Rebecca Davey, Chief Executive Officer Arthritis ACT, acknowledged the fact that the Canberra Hospital hydrotherapy pool will need to close in the not-too-distant future, and that this will need to occur before a replacement public hydrotherapy pool in Canberra's south could realistically be built. There was agreement that Arthritis ACT would work with the ACT Health Directorate and Canberra Hospital pool users about alternative services available, noting that this would not be a perfect outcome for everyone in the short term.

The history of this matter has been discussed a number of times in this place already. The ACT government was clear with stakeholders that the hydrotherapy pool at Canberra Hospital would close as part of all public rehabilitation health services moving to the University of Canberra Hospital. The hydrotherapy pool at Canberra Hospital was scheduled to close with the opening of UCH in July 2018. This has been extended in an effort to find an agreed path forward, but this cannot continue indefinitely.

Recommendation 2 of the report states:

ACT Health Directorate should immediately conduct a review of the funding agreement with Arthritis ACT, with a view to constructively resolve the set of issues identified within it

In line with this recommendation, the ACT Health Directorate has been undertaking a review of the current service funding agreement with Arthritis ACT. Under the hydrotherapy pool user agreement, Arthritis ACT is required to provide "a supervisor, who has current basic life support and pool rescue training as provided by Lifesaving Australia, to accompany and supervise Group Members at each attendance at the pool". The Nous report suggests that although the volunteer supervisors receive some training, Nous "were not made aware of the standard by which this training is accredited". In settling any necessary changes to the funding agreement, the ACT Health Directorate is working with Arthritis ACT to ensure that its services are provided in a safe manner.

A second key issue is the number of hydrotherapy sessions supported under the funding agreement between the ACT government and Arthritis ACT. The current agreement funds Arthritis ACT to deliver 614 sessions a year. However, it is currently delivering around three times that number. This creates a conundrum.

On the one hand, we have a significant number of Canberrans currently receiving a service that they value. But for the ACT government now to fully fund the number of hydrotherapy sessions that Arthritis ACT has chosen to deliver in alternative, privately owned hydrotherapy pools creates a budget pressure of potentially some hundreds of thousands of dollars a year. Normally, in determining the distribution of hundreds of thousands of dollars for health and community services, two things would be done: an assessment of the proposal against other priorities, and an analysis or market testing to determine who would be best placed to deliver the service.

Arthritis ACT's well-intentioned effort to meet growing demand for hydrotherapy in the ACT has created a situation where there is now significant public pressure for the government to circumvent normal budget prioritisation and probity requirements to provide a considerable increase in funding. This is the challenge we are currently working through with Arthritis ACT. We will get there, but the quantum of funds involved necessarily means that appropriate probity considerations must be applied.

Recommendation 3 of the Nous report states that the ACT Health Directorate and Canberra Health Services:

... should quickly select one of the options presented in this report to collect enough data on the users of hydro-therapy services for health maintenance purposes to assess the best alternatives for the individual, outline support the individual may need to access this service and determine whether there are some people who can self-manage their hydrotherapy, without health system support.

The Nous Group report proposed two options for undertaking this assessment. When I last reported to the Assembly, I confirmed that ACT Health was moving ahead with a version of option 2. I listened to what Arthritis ACT said at the community briefing on 7 August 2019: that members had already had clinical assessments undertaken. Rather than duplicate this work, I asked the ACT Health Directorate to focus on mapping the current services provided through existing sessions to build a holistic assessment of need. I would like to thank Arthritis ACT for its active engagement in this work, and for its advice that focusing on the current service offer—rather than an assessment of individual clinical need—would better reflect the wellbeing impact of hydrotherapy sessions.

It will surprise no-one here that it has not been easy to identify alternative services that will provide everything that the Canberra Hospital pool offers current users. That is why we are in this situation in the first place. Again, however, I believe we will get there, not to a perfect solution for everyone, but to a position that is acceptable in the short term.

Recommendation 4 of the report is that “ACT Health Directorate should conduct a study of the costs and benefits and different models for the longer-term establishment of a hydrotherapy facility in the south of Canberra”, noting that “any new facility would need to be considered within the broader budget context for the ACT and progressed in line with the Territory's process for infrastructure approval. It could also include consideration of a public-private partnership.”

I am pleased to say that an expression of interest market sounding has opened today. The market sounding process is an opportunity for the government to gauge the interest of the market in the provision of a publicly accessible hydrotherapy pool located on the south side of the ACT. This may be by way of the development and operation of a hydrotherapy pool at a new or existing facility, or the expansion of services at a facility with an existing hydrotherapy pool. Responses to the market sounding will be accepted until 14 February 2020. I am looking forward to seeing what ideas and proposals come forward through this process.

The government is actively working through the recommendations of the review and making significant progress. The closure of the hydrotherapy pool at Canberra Hospital is not a decision that has been taken lightly. However, as I outlined previously, it is no longer safe or sustainable to keep the facility open indefinitely.

Madam Assistant Speaker, we understand how much the users of the hydrotherapy pool at Canberra Hospital have benefited from this asset and we continue our ongoing commitment to working together to ensure that alternative services are available in both the short and long term.

I present the following paper:

Access to Hydrotherapy in the ACT—Further progress in implementing the recommendations in the Nous Report—Response to the resolution of the Assembly of 14 August 2019—Ministerial statement, 28 November 2019.

I move:

That the Assembly take note of the paper.

MRS DUNNE (Ginninderra) (11.30): It is ironic that this report is basically a verbatim replication of what we saw when the Nous report was tabled in this place. There is almost no progress, except for the very significant admission on page 7 that Arthritis ACT is going above and beyond. Arthritis ACT is providing, essentially out of its own funding or by the way it scrimps and saves, three times the number of services that it is contracted to provide. The minister's response to that is to say, "This is awfully expensive. This is terrible. They might cause us to spend money. They might cause us to spend hundreds of thousands of dollars." But if this government does not spend money on hydrotherapy services for people with arthritis, they will end up in hospital, where it will cost us millions, not hundreds of thousands, of dollars.

As is always the case with this government, they look at the issues; they are like startled rabbits and they have a chaotic response to anything that frightens them. They are trying to send a message that hydrotherapy is simply too expensive for the richest city in one of the richest First World countries in the world.

While people have become used to these services, and there is no doubt that these services are good for them—it is keeping them out of hospital, it is keeping them well, it is helping them to manage their pain, it is helping them to manage their mental health—you have to remember, Madam Assistant Speaker, that arthritis is a chronic, debilitating and painful disorder. When you talk to someone who is a recipient of hydrotherapy, they talk about how they manage to keep their pain in check by hydrotherapy. But this government is prepared to scrimp the dollars at the expense of increased hospital admissions, increased misery and a decline in service.

The minister already knows what the solution to this problem is. The minister is aware, as members of the opposition are aware, of solutions out there which would involve quite substantial private or non-government investment. But this minister is not

prepared, it seems, to entertain those proposals. I note that the minister has declined to meet with the proponents of non-government hydrotherapy.

It is about time that this minister stopped wasting time. She said that we all accept that the hydrotherapy pool has to close. We all accept that, as a nearly 50-year-old facility, it does not have much of a lifespan. But we do not want to be in a situation where the hydrotherapy pool at the Woden Valley hospital closes and there is no alternative. This government does not have any ideas, because this government is an idea-free zone when it comes to hydrotherapy.

The minister's statement today is an almost word-for-word repetition of what we saw in July. They have made no progress, except to criticise Arthritis ACT for going above and beyond.

MS LE COUTEUR (Murrumbidgee) (11.34): I thank the minister for this report, because there are two really interesting issues. Firstly, it is about hydrotherapy and the need for it. Secondly, I was even more astounded by the actual quantification of the importance of NGOs in the ACT.

We all know that NGOs are important and do a hell of a lot of unpaid work, but it is really wonderful that a government report is saying that Arthritis ACT is doing three times what it was funded to do. That is something that should be celebrated. And it is not just Arthritis ACT but many other groups as well.

It shows the importance of voluntary organisations and, equally, the importance of public infrastructure. Clearly, without the public hydrotherapy pool, regardless of how dedicated and well meaning the Arthritis ACT volunteers were, if they did not have a hydrotherapy pool in which to conduct the sessions, they would not be able to do it. These are two things that we need to keep in mind.

I am a little concerned by the comments about the training of supervisors. I want to make sure that, in whatever we do going forward, we do not make it impossible to have volunteer help in the future. We do not want to let the perfect be the enemy of the good, which is what the Greens are normally accused of, I am afraid. It could be read slightly that way.

I suggest to the government that, while potentially there is an increased cost to more adequately funding Arthritis ACT or, at the very least, somehow funding a publicly available hydrotherapy pool, maybe one of the things that could be looked at in terms of the broader budget context is a bit of a cost-benefit analysis.

As Mrs Dunne said, arthritis is a long-term, chronic and debilitating disease. How many hospital admissions is the current situation saving? Hopefully, in the cabinet submission, which I assume that Minister Stephen-Smith will have to write at some stage, a little bit of work can be done on that. I suspect that, when you look at it from all points of view, it will not be that hard to justify financially. For some people it really makes a huge difference to their lives, and that is why Arthritis ACT has put in all of this unpaid work.

Thank you, minister, for this report and thank you, Arthritis ACT, for your ongoing hard work.

Question resolved in the affirmative.

Access Canberra Ministerial statement

MR RAMSAY (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (11.38): Five years ago Access Canberra was born out of the commitment for the government to serve the people of Canberra better. We wanted to create a front page for government services where there would be a single point of entry, where service delivery would be streamlined and where people, businesses and organisations could come to the one location to transact their business with government in the simplest and most straightforward way possible.

Access Canberra began life on 16 December 2014 when the Chief Minister announced its formation with a no-wrong-door approach for engaging with the ACT government. It was a bold ambition as we drew together the operational arms of 11 different organisations, staffed by approximately 600 regulators, customer service officers and enabling staff responsible for administering 140 different pieces of legislation into a single organisation.

This was a mammoth task, noting that Access Canberra touches the lives of every single one of our citizens in some way every day, from maintaining registers such as births, deaths and marriages and land titles to managing all kinds of licensing, to the regulation of construction, gambling, food and alcohol. All these functions became part of the one organisation whose central mission has been to serve the Canberra community and to support the vibrant, innovative and progressive city that we have become.

Significantly, Access Canberra's formation was the first time in Australia that multiple regulatory functions of government had been drawn together into the one agency. It is very interesting to see that a number of our colleagues in the other jurisdictions are now starting to create similar entities. The ACT continues to lead the way with its progressive forward thinking and innovative solutions.

As minister with responsibility for part of Access Canberra's work I can attest that it is a powerhouse of productivity and is always looking for ways to better assist members of the Canberra community more effectively and more efficiently.

To get some of the idea of the scale of the operations delivered by Access Canberra, I take this opportunity to provide a summary of some of Access Canberra's key achievements. In its five years of operation Access Canberra has served close to 2.2 million customers face to face, has answered more than 3.2 million telephone calls and processed more than 15 million online transactions. The Access Canberra website

has had more than 29 million visits since it was launched, which is not bad for a city of 400,000 people.

The satisfaction rate for our customers is exceptionally high and continues to improve: 97 per cent satisfaction for service centres, 92 per cent for the contact centre and 88 per cent for digital services. ACT residents have also said that they are satisfied with the ease of dealing with Access Canberra, with 94 per cent of those surveyed saying they were satisfied. Access Canberra has made close to 75 per cent of its processes available online, up from 55 per cent in 2016.

Across the years Access Canberra has achieved a remarkable range of objectives in its mission to simplify and streamline processes for the Canberra community, and I will provide just a few more examples of that. In 2015 the first Access Canberra service centre was opened in Gungahlin. The layout of this service centre promotes higher quality conversations and improved service delivery for customers with complex needs.

In the same year, Access Canberra also stood up an events approval team to create a single entry and contact point for event organisers. In 2018-19 alone the team supported 217 event organisers to obtain more than 440 approvals. This included liquor licences and permits, road closures, public unleased land approvals, and traffic management plans. Beyond this, the events approval team has responded to countless additional enquires relating to events big and small as well as supporting local businesses commence trade by providing pathway solutions to businesses, helping support them through their transition from planning to operation and adding to Canberra's burgeoning urban rhythm.

In 2016 Access Canberra supported the introduction of rideshare services in the ACT through legislation, advice and interim arrangements. It also incorporated the vehicle registration and third-party insurance processes into this work to simplify the arrangements for drivers and operators.

That same year Access Canberra opened a revamped Tuggeranong service centre, which enabled a range of services previously provided at separate locations to be collocated. This helped to reduce the number of trips people had to make to multiple locations to get their business done and simplified the customer service experience.

In 2017 Access Canberra trialled the use of licence plate recognition cameras for ensuring improved parking turnover and accessibility for all drivers. It finalised the rollout of tap and go payments for all ACT parking machines. Also in 2017 they opened an Access Canberra service centre in the Cosmopolitan Building, with easy access to Woden town square designed on the successful set-up of the other new service centres. These service centres now provide over 200 services and feature concierge services and touch screen technology so that many transactions can be self-completed easily.

In 2017-18 Access Canberra digitised inspection records and documentation to prevent duplication of work, save money on physical resources and allow provision of records, directions or education to businesses at the click of a button. In 2018 they

introduced online driver licence renewals and the ability for drivers to submit driver licence medical and eye test reports online.

Finally, and perhaps most importantly, I acknowledge all the people who make up Access Canberra. The organisation has one of the most diverse range of roles and workforces in the ACT public service, from frontline customer service and contact centre staff, parking inspectors, authorised vehicle and driving examiners, traffic camera operators, industry and fair-trading inspectors, technical experts and engineers, ICT and finance experts, and other administration and corporate officials.

Access Canberra's staff put the Canberra community first and at the heart of their activities to make sure that there is no wrong door when dealing with government services. In fact, it is the remarkable nature of the Access Canberra staff and their commitment to always providing the best possible service for our citizens that has made Access Canberra such a success.

Given what has been achieved over the past five years, I look forward to continuing to support Access Canberra to help it to evolve, achieve its objectives, serve our community, and help make Canberra a safe, vibrant and inclusive city for all.

I present a copy of the statement:

Access Canberra—Five years of quality service to the Canberra community—
Ministerial statement, 28 November 2019.

I move:

That the Assembly take note of the paper.

Question resolved in the affirmative.

Economic Development and Tourism—Standing Committee Report 7—government response

MR RAMSAY (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans) (11.46):

I present the following paper:

Economic Development and Tourism—Standing Committee—Report 7—
Inquiry into the Building and Construction Legislation Amendment Bill 2019—
Government response.

The report was circulated earlier today.

Papers

Residential Tenancies Amendment Bill 2019 (No 2)—exposure draft

MR RAMSAY (Ginninderra—Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister

for Business and Regulatory Services and Minister for Seniors and Veterans) (11.46):
I present the following papers:

Residential Tenancies Amendment Bill 2019 (No 2)—

Exposure draft.

Explanatory statement to the exposure draft.

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

Leave granted.

MR RAMSAY: I rise to speak on the tabling of a public exposure draft of the Residential Tenancies Amendment Bill 2019 (No 2). Tabling this exposure draft in the Assembly is testament to this government's commitment to hearing from relevant stakeholders and members of the public about reforms to two complex areas of residential tenancy law: occupancy law and the share housing framework. We anticipate that the proposed text of the amendments, together with a draft explanatory statement, will provide a basis for more detailed, thorough discussion about the reforms.

Although the focus of the Residential Tenancies Act 1997 is the relationship between landlord and tenant under a residential tenancy agreement, part 5A of the act turns to the relationship between grantor and occupant under an occupancy agreement.

Occupancy agreements are a form of statutory licence. They have fewer protections, processes and requirements than residential tenancy agreements. This makes occupancy agreements highly adaptable for a diverse range of purposes where the more rigid provisions of a residential tenancy agreement may be inappropriate. Occupancy agreements are regularly used in the crisis accommodation sector, in which some of the most vulnerable Canberrans are supported through difficult periods and provided with the opportunity to move into more long term housing options. The student accommodation sector is also a significant user of occupancy agreements in the ACT. Other users of occupancy agreements include boarders and lodgers, people in supported housing programs, and people residing in residential parks or caravan parks.

When the territory first began modernising its residential tenancy legislation back in the 1990s, the ACT Community Law Reform Committee observed that some principles should apply equally regardless of the legal type of residential agreement. For example, both tenants and occupants need accommodation without arbitrary interference with their privacy.

In 2004, the territory took its first major step towards providing basic protections for occupants by introducing part 5A of the Residential Tenancies Act 1997. Although the flexibility of an occupancy agreement has meant that they are available for a variety of purposes, these past 15 years have shown that flexibility also means a lack of certainty about how and when an occupancy agreement should be used. Over time,

it has become clear that part 5A requires adjustment for it to appropriately meet the growing demand and needs across the range of accommodation sectors.

The exposure draft reflects the government's commitment to clarify the nature of occupancies, to improve the processes that relate to owner-renters within caravan and manufactured home parks, and to provide clearer and fairer share housing processes in the ACT. The exposure draft also reflects our commitment to ensuring meaningful, informed discussion on legislative reforms with a wide range of stakeholders. It is anticipated that the exposure draft of the bill, together with the draft explanatory statement, will facilitate a detailed discussion about the issues that affect the lives of those who are subject to occupancy agreements or share housing arrangements, including Canberrans who may be particularly vulnerable.

I emphasise that the text for the bill is a draft. We will draw on feedback to adjust provisions to ensure that we appropriately minimise any adverse consequences and optimise the efficient, fair and effective outcomes.

Turning to some of the specifics of the proposed reforms, firstly the exposure draft to the bill proposes a new definition of an occupancy agreement to clarify the difference between an occupancy agreement and a residential tenancy agreement. This will allow the users of the Residential Tenancies Act to properly identify which rights and obligations apply to them without having to undertake complex legal analysis to determine if an agreement is an occupancy or a tenancy agreement. As a result, occupants and grantors will be able to make more informed decisions about their residential agreements as well as expect clearer legal advice and decisions from legal professionals and decision-making bodies.

Secondly, the draft proposes to mandate that certain occupancy principles will form part of an occupancy agreement. While part 5A of the Residential Tenancies Act currently contains occupancy principles which a person must have regard to, mandating compliance with these principles will assist to ensure that there are essential, basic, minimum protections provided to all occupants. To strengthen minimum protections for occupants, the draft bill also proposes to introduce a number of new occupancy principles. The occupancy principles are nevertheless drafted to be adaptable to a range of occupancy accommodation contexts. Grantors will be provided with clear guidance regarding their obligations towards occupants, and occupants will be able to seek the enforcement of a more robust set of rights.

One of the new occupancy principles included within these minimum protections is a new requirement that grantors provide occupants with information about dispute resolution processes. This must include information about how an occupant can access internal dispute processes, a community dispute resolution provider, the ACT Civil and Administrative Tribunal, and the ACT Human Rights Commission. This step, which increases the information available to an occupant when seeking to enforce their rights, is a simple example of how Canberra is progressing towards being a restorative city.

Building on this new principle, the draft also proposes to provide occupants with access to an enforceable conciliation process facilitated by the ACT Human Rights

Commission. Occupants are currently able to make a complaint to the ACT Human Rights Commission, but only where their complaint matches a ground listed in section 41 of the Human Rights Commission Act 2005. It is proposed to streamline this process by allowing all occupants to access the non-adversarial dispute resolution framework of the ACT Human Rights Commission. This provides greater clarity and expands the available options to seek the enforcement of fair rights and to resolve disputes.

Thirdly, the draft proposes amendments to the complex legal framework applicable to people who reside in caravan and manufactured home parks. This draft bill proposes a new framework that provides greater clarity and certainty when a resident seeks to sell the dwelling they own while it is still erected within a residential park. It also clarifies the processes involved in the disposal of moveable buildings and their contents when they have been abandoned, amending the Uncollected Goods Act 1996 to provide park operators with a more efficient means to manage the removal of abandoned dwellings without exposing occupants to undue risks. Additionally, the draft proposes amendments that will clarify the processes to be followed when a person who owns their dwelling on a site in a residential park wants to assign their interest in an occupancy agreement to another person.

Finally, turning to the amendments relating to share housing, the public exposure draft contains the proposed framework for modernising this framework in the ACT. Canberrans deserve residential tenancy law that reflects the realities of modern living. Share housing is an extremely common form of tenancy in the ACT, including being utilised by students and young professionals. The law governing share housing is currently a complex mix of property and contract law. The public exposure draft proposes a model that is simple, is modern and better reflects community behaviours and expectations.

I encourage the ACT community to access the ACT government's your say website for information on the reforms being proposed and to provide feedback on the exposure draft. We look forward to engaging with stakeholders and the ACT community on the development of the final bill, which will be introduced in 2020.

Sitting suspended from 11.56 am to 2.00 pm.

Ministerial arrangements

MR BARR: Madam Speaker, the Attorney-General will be absent from question time today as he is travelling to a Standing Committee of Attorneys-General meeting. I will take questions in the attorney's place.

Questions without notice

Education—school chaplaincy program

MR COE: My question is to the Minister for Education and Early Childhood Development. Minister, what feedback have you received from students, teachers, principals and parents about the benefits of the chaplaincy program?

MS BERRY: I have received some feedback from some individuals about the chaplaincy program, but I have received even more feedback about making sure that our public schools remain secular and that they employ social and welfare workers in our schools to support our students appropriately. Also, of course, there has been very positive support for the increase in the number of psychologists that the ACT government committed to providing; those additional five to meet the target of 20 that were promised during the election will be delivered from the start of next year.

Mr Coe: Point of order.

MADAM SPEAKER: Mr Coe.

Mr Coe: On relevance, the question was specifically about what benefits she has heard about the chaplaincy program. She said that she has received some feedback, but she has not actually addressed what benefits she has heard about.

MADAM SPEAKER: I believe she was talking about the programs and the feedback she has received, so there is no point of order.

MR COE: Minister, how many people have contacted the ACT government and ministers expressing their concern about your ban on school chaplains, and what have you heard about the benefits of the chaplaincy program?

MS BERRY: I do not have an actual number on correspondence that the government has received regarding the chaplaincy program. I understand that the benefits that people are referring to are the benefits of social and welfare supports to our students and young people; and that social and welfare support can be provided in a secular way in our ACT public schools, as is required under the Education Act.

MR WALL: Minister, will you give an assurance today that there will not be a ban on the Christian education in schools program, also provided as an opt-in program at no cost to schools or the territory government?

MS BERRY: The ACT Education Act provides the opportunity for families to ask for religious education, not necessarily defined as just Christian, but as religious education; so any number of faiths can be provided in our schools. Families can opt into those programs should a family request that it occur.

Bushfires—preparedness

MS LE COUTEUR: My question is to the Minister for Police and Emergency Services and relates to Canberra's bushfire preparedness in the face of climate change. The unprecedented fires in New South Wales and Queensland have burnt out world heritage listed rain forests that had probably never been burnt before. Are these extreme and worsening fire events leading to the government re-examining which areas of the ACT, in particular the urban areas, are at fire risk?

MR GENTLEMAN: I thank Ms Le Couteur for the question. It is an important one as we are into our fire season in the ACT. We have seen more risk as we see drier conditions and the challenge that climate change is bringing across the ACT. Canberra's urban forest is one of the key elements in preparing our city to be resilient against the effects of climate change, and enhancing the urban forest is a priority for government. Earlier this year the government committed to planting 17,000 trees on public land between now and 2023. This is a significant investment in our urban forest.

In combatting climate change I refer Ms Le Couteur to the SBMP, our strategic bushfire management plan. There is adaptive management looking at the effects of climate change in the SBMP.

MS LE COUTEUR: Minister, how has the ACT's bushfire planning changed as a result of climate change, and do we have sufficient firefighting resources in place to combat the extreme fires that it is bringing?

MR GENTLEMAN: It is a challenge as we go forward, and that is why we resource our Fire & Rescue people and our Rural Fire Service as best as possible. The challenges of drier conditions really do impact across the territory. We have been lucky to date, but we will see even drier conditions as we lead up to Christmas this year. We have done some extensive work with the Bushfire Council and ESA in preparing those with the skills and knowledge to fight fires across the ACT. We have also invested in better resources. We have our SIG—special intelligence gathering—camera helicopter, and the LAPP which is out at Canberra Airport at the moment, which is a resource able to quickly fill our fixed wing aircraft with fire retardant. We have our mapping team, which works so well on looking at where fires go—fuel loads and wind conditions are examples—so that our firefighters can go out and prepare the way to deal with these fires.

MRS JONES: Minister, regarding the bushfire operational plan that you mentioned, what percentage of the BOP's back-burning was achieved this past financial year?

MR GENTLEMAN: I do not have the percentage in front of me. I will take that on notice.

Visitors

MADAM SPEAKER: Members, before I give the next member the call in questions without notice, I want to acknowledge that in the gallery we have Ainslie Primary School students. They have been here on a program this morning. Welcome to your Assembly.

Questions without notice

Education—school chaplaincy program

MR WALL: My question is to the Minister for Education. Minister, what benefit have school chaplains provided to school communities at times of bereavement or relationship breakdown in ACT public schools?

MS BERRY: Social and welfare support in our schools is important for young people and their families, and also for teachers and school workers. It is important that those kinds of supports are available, and those supports are available, and will continue to be available, provided by the ACT government.

MR WALL: Minister, to what extent have teachers and ACT school staff or volunteers benefited from or accessed the service and support provided by school chaplains?

MS BERRY: As I said, social and welfare supports for our school communities are important for the strength and vitality of those school communities. Those supports are available in our schools, including through the school psychologist programs.

MR COE: Minister, how many school chaplains did you consult with before making the decision to remove chaplains from ACT public schools?

MS BERRY: There are 22 public schools that currently engage school chaplains and that have been involved in consultation around this decision to ensure that our schools remain secular and provide a secular education and social and welfare supports—

Mr Coe: Point of order, Madam Speaker.

MADAM SPEAKER: Mr Coe.

Mr Coe: On relevance, the specific question was: how many school chaplains did you consult with? It was not how many school chaplains there are. I repeat: how many school chaplains did you consult with before making the decision to remove chaplains from ACT public schools?

MADAM SPEAKER: Maybe you can clarify that point, minister.

MS BERRY: Yes, Madam Speaker. The Education Directorate has been working with Scripture Union Queensland, which currently engages the 22 chaplains that are engaged in our ACT public schools, and I will be meeting with the school chaplains tomorrow afternoon—

Mr Coe: Point of order on direct relevance, Madam Speaker. The question was: how many school chaplains did you consult with before making the decision? She seems to be avoiding the question.

MADAM SPEAKER: Towards the end of that answer she indicated that she was meeting with them tomorrow but, minister, you have 50 seconds left if you needed to add anything to that.

Schools—bullying

MS LEE: My question is to the Minister for Education and Early Childhood Development. Minister, I refer to the Tuggeranong school which was the subject of a

number of serious bullying issues last year and early this year. As a consequence, there has been a Legislative Assembly inquiry and a ministerial advisory committee report. The school in question has had a new executive installed, additional counsellors employed, PBL introduced and a raised awareness among the teaching staff. Last week you and I were both contacted by a concerned parent at that school about continuing issues of violence and bullying. Since then the parent has told me about a disturbing incident of a parent chasing three students across the playground after they reported that parent's son for bullying. Minister, why was a parent allowed to chase three students across the playground during school hours?

MS BERRY: I thank Ms Lee for her question. When issues around bullying and violence are raised and occur in our schools, and more broadly within our community, my practice in this place when talking about issues of this nature is to engage with members opposite in a more detailed way outside the Assembly, which I am happy to do with Ms Lee regarding this particular situation.

As with any culture change, these matters are often complicated and complex. A significant culture change, as with the one we are asking for within our community, and within our schools, which are generally safe places, will take some time. The process of implementing positive behaviours for learning is continuing, and there have been some very positive results from our school communities, which do an excellent job in providing supports and making sure that our schools remain safe and inclusive environments.

MS LEE: Minister, what is the policy relating to parents on school grounds, and was that policy breached in this instance?

MS BERRY: As I said in my first answer, I am not aware of the detail that Ms Lee is referring to in this situation. I am happy to get some advice and I will talk with her in her office about it outside of the Assembly.

MR PARTON: Minister, how did the parent know that these three students had reported his son?

MS BERRY: I have to say, Madam Speaker, that I am concerned. This sounds like a particularly serious issue, and I would have hoped that the opposition would have raised it with my office rather than waiting to raise it here in question time.

I am happy, as I said, to discuss the detail of this particular circumstance with Ms Lee—and Mr Parton if he is interested in reaching an outcome and an understanding of what has occurred in these circumstances—but I must say that it could have been raised with my office rather than raising it here in question time. I would, if I had had the opportunity, gone and spoken with Ms Lee or Mr Parton if they had raised it with my office, which is my practice.

Alexander Maconochie Centre—security

MRS JONES: My question is to the Minister for Corrections and Justice Health. I refer to the recent emergency declaration at the AMC following the discovery of a

hole in the perimeter fence. During annual reports hearings it was confirmed that the hole in the fence was made on a Sunday but not discovered by corrections officers until the next day. Why did it take so long to find the hole in the fence?

MR RATTENBURY: That exact question is one of the key questions being looked at in the current internal management review that is taking place into that incident. I am not in a position to speculate on the answer to Mrs Jones's question at this time.

MRS JONES: Minister, is it correct that now, two weeks later, you still have no idea what happened that meant that that hole was not found in the fence for nearly 24 hours?

MR RATTENBURY: No, that is categorically not the case, and Mrs Jones's editorialising does not help the situation. I have been given some information on what we believe happened but, in the interests of the process of some degree of natural justice and letting the process play out, I am going to let the internal management review be completed before sharing. If I was to try to answer today, I would simply be sharing the speculation that I have been given. I will let the internal management review complete its process.

MR HANSON: Minister, why did the CCTV coverage not pick up that somebody was on the premises, and how are you aware that the hole was made on the Sunday?

MR RATTENBURY: Again, the question of the coverage of the CCTV and whether it was appropriate is being looked at by the internal management review. The AMC has over 500 closed circuit television cameras across the site. Some of them are trained on the fence, and clearly one of the lessons to be explored from this incident is whether some of those cameras need to be repositioned or whether additional cameras are needed.

Mr Coe: A point of order on relevance, part of the question was how did the minister know that the hole was created on the Sunday. The minister has not been directly relevant to that part of the question.

MADAM SPEAKER: He made reference to a review to be completed to provide that, but maybe I am paraphrasing the minister. You have nothing else to add?

MR RATTENBURY: I have nothing to add, Madam Speaker.

Alexander Maconochie Centre—female detainees

MR MILLIGAN: My question is to the Minister for Corrections and Justice Health. I refer to the editorial in the *Canberra Times* of 27 November 2019 which states:

Heaven help you if you are a woman, particularly an indigenous woman, incarcerated at the Alexander Maconochie Centre.

You won't get to see much of the light of day, you won't get access to the same training or work opportunities as male prisoners and you are unlikely to receive the emotional and psychological support you may need on your journey towards rehabilitation.

Why aren't female prisoners, particularly Indigenous prisoners, receiving the same level of support as male prisoners?

MR RATTENBURY: I do not share the characterisation that the *Canberra Times* has provided; nonetheless members are aware that, of course, we have just received a report from the independent Inspector of Correctional Services, which has identified a range of issues that need to be addressed at the Alexander Maconochie Centre. That is exactly why we set up the Inspector of Correctional Services. It was to have a proactive, independent agency to help us ensure that we have continuous improvement in the AMC.

I have been given a range of information and views on the status of women and the services provided to them at the AMC. I am not currently satisfied with the status of services for women at the AMC, and we are undertaking a series of plans to improve that situation for our female detainees, to ensure that both they have a decent stay in custody and they are given the most opportunity to use their time in custody to reset their life trajectory, get some skills that they can use on the outside and have as much rehabilitation as possible while they are in custody.

It is challenging, because roughly 50 per cent of the women in the AMC are on remand. That does create some uncertainty about their time spent in custody. But, clearly, we have work to do to improve the situation of the females at the jail.

MR MILLIGAN: Minister, why don't female prisoners have the same access to training or work opportunities as male prisoners?

MR RATTENBURY: I have been assured at various times that they do.

Mrs Jones: Well, the inspector disagrees.

MR RATTENBURY: Settle down, Mrs Jones. I am getting there. I have been assured that they do—

Mrs Jones: Point of order, Madam Speaker.

MADAM SPEAKER: Mrs Jones on a point of order.

Mrs Jones: Is the term “settle down” appropriate for the chamber when addressing women members in the chamber?

MADAM SPEAKER: I am going to let that one stand but you did interject and call attention to yourself.

Mrs Jones: But, Madam Speaker, I am not asking about the interjection. If you want me to apologise for the interjection, I am more than happy to do that.

MADAM SPEAKER: All I am saying is that I do not believe it is unparliamentary.

Mrs Jones: To say “settle down” to one of the women MPs?

MADAM SPEAKER: Mrs Jones, I believe that it was not unparliamentary. It may not be particularly good language, but I do not believe that it is unparliamentary. It is a timely reminder for everyone, as we come close to the end of this year, to be very mindful of having regard and respect for us all.

MR RATTENBURY: For the sake of the members of the opposition, I will be absolutely clear: there was no gender content in that statement. I was responding to the fact that after three seconds of being on my feet, I was being interjected on. I do not care who interjects on me. It was rude either way.

Mrs Jones: Madam Speaker, a point of order. On the matter of the interjection, as I have mentioned, I will be very happy to apologise for it but what I am talking about is a woman being told to settle down because she has an opinion that is different from someone else here. The member can claim that it does not have a gender bias but I interpret that it does and, therefore, it does.

MADAM SPEAKER: Mrs Jones, we have dealt with that.

Mrs Jones: That is the logic—

MADAM SPEAKER: Mrs Jones, we have had enough. We are not debating this now. Mr Rattenbury.

MR RATTENBURY: For the benefit of Mrs Jones, I will be absolutely clear that I did not seek to reflect on her gender. But if she took it that way, I do apologise. I have forgotten what the question was so I am just going to sit down.

MRS JONES: Minister, why are female prisoners unlikely to receive the emotional and psychological support they need in the journey towards rehabilitation?

MR RATTENBURY: I now remember the first question I was trying to answer, Mrs Jones. I have been assured by a range of people within my directorate that women do receive the same services, but I acknowledge—

Opposition member interjecting—

MR RATTENBURY: That is exactly what I was going to say before I was interjected on before. I acknowledge that the Inspector of Correctional Services has made a different finding. My job now is to get to the bottom of why I am receiving different answers. That is the work that lies ahead of me.

Woden—CIT campus

MS CODY: My question is to the Minister for Tertiary Education. Can you please update the Assembly on the government’s plan to expand access to vocational education and training?

MR BARR: I thank Ms Cody for the question. Through the CIT campus modernisation program we are seeking to make CIT a modern, innovative and dynamic institution that can respond to the changing needs of the community and the business sector, easily adapt to changing teaching techniques and new technologies and provide for new courses to be taught.

The new campus in the Woden town centre will be a hub for significant collaboration with industry, business and students, driving a culture of innovation centred in the town centre and collocated with industry alongside the new campus. CIT Woden will have a focus on cyber technology qualifications and service skills. CIT Woden will continue to offer skills for creative industries, hospitality, business and tourism. Over 6,500 students are expected to study at the campus every year.

This commitment forms part of a renewed Woden town centre demonstrating the government's commitment to supporting public vocational education and training through our nation-leading public training provider, the CIT. The new campus will provide students with the skills they need for the jobs they want. This investment also demonstrates ACT Labor's guarantee that the CIT will always remain in public hands and that we will continue to invest in tertiary education in Canberra.

MS CODY: Chief Minister, what other investments is the government making in vocational education and training?

MR BARR: Along with the new campus in Woden, the government continues to support vocational education and training and, indeed, our university sector, right across the city. The CIT campus in Tuggeranong—which this year has offered a range of training, including asbestos awareness, white card, foundation skills, general education, business, early childhood education, care, accounting, hospitality, digital media and technology courses—continues to be at the forefront of our thinking in the modernisation strategy.

The government has also promoted training and employment through the expansion of the SPARK training and employment initiative, including the delivery of five training programs in 2019, which will expand to 10 in 2020, all of which will be conducted on the south side of the city. The successful adult community education grants program has also provided funding for projects to deliver foundational skills.

The ACT government recognises the transformative effects that access to vocational education and training can bring. We have invested in CIT Fyshwick in the most recent budget, with expanded facilities. We have recently opened new healthcare facilities at CIT Bruce. We are working with UNSW Canberra, the University of Canberra and the Australian National University on expansion programs. With each of those institutions, there is a very bright future for tertiary education in the ACT. It is our single biggest export industry; it is one of the largest employers in the territory; and it is the major contributing factor to why Canberrans are the best educated people in Australia and therefore amongst the best educated people in the world.

MR GUPTA: Chief Minister, how will the new CIT Woden campus contribute to the renewal of the Woden town centre?

MR BARR: As I have mentioned, the new campus in the town centre will be a hub for significant collaboration with industry, business, students and the broader community, driving a culture of innovation centred in the town centre. There will be 6,500 thousand students and hundreds of staff. This will have a particularly positive impact on daytime and evening trade for businesses in the town centre.

This new CIT campus is just one part of a very significant range of both public and private sector investments in the town centre and the immediate surrounds that will drive renewal, open up a range of opportunities for the community and, particularly through this new campus, for CIT students, staff and local businesses.

Woden is a major community and commercial precinct for the southern part of the city, and it is attracting more people to live there, work there, socialise there and now to study in the town centre in the 2020s. CIT Woden will contribute significantly to that bigger picture plan for the Woden town centre.

Alexander Maconochie Centre—human rights

MR PARTON: My question is to the minister for corrections. When the AMC was built it was to be Australia's first and only human rights compliant prison. Why does the ACT prison system have the worst standard of human rights in Australia?

MR RATTENBURY: That is a very interesting question because when the AMC was opened and people made those sorts of claims, no-one ever really defined what they meant by a human rights compliant jail. No-one spelt it out. What we have done this term is undertake a process of consultation to publish a set of human rights standards for the jail so that we can be clear with our own staff and our community about what we expect those standards to be and against which we can also be judged externally. We have created a benchmark against which we can start to say: how does this jail measures up? Similarly, we have created the position of Inspector of Correctional Services to give us judgement on those matters.

Mr Parton has made a claim. I do not share his view. I think the AMC strives very hard to comply with human rights, and we have a range of oversight agencies to ensure that we live up to those standards as best as possible.

MR PARTON: Minister, why does the ACT have the most expensive prison system on a per capita basis, given that the services are so limited?

MR RATTENBURY: That number per capita has been coming down significantly in recent years. It relates to the way the calculations are done in the report on government services, which includes a degree of capital component cost. It is, of course, as is the case with quite a number of circumstances in the ACT, a feature of being a relatively small jurisdiction.

MRS JONES: Minister, what responsibility do you take for the failures identified in the AMC given that you have administered it for seven years?

MR RATTENBURY: The thing I have made very clear is that I am looking very closely at those findings. I take responsibility for getting on and dealing with those issues and making sure that we provide the best corrective services system we can, just as I have done for the past seven years when we have made a steady range of improvements at the AMC, including the provision of industries, which were never there when the jail was built, and including a range of security upgrades that have been progressed as problems have been identified and as new technology has become available or old technology has become outdated. These are the sorts of things that we are working on at the AMC. It is a constant project.

Bimberi Youth Justice Centre—detainee transfer

MR HANSON: My question is to the Minister for Children, Youth and Families. Minister, the Children and Young People Act allows for young detainees to be transferred between Bimberi and the courts by a police officer, a corrections officer or a youth justice officer. Further, those given this escort responsibility have custody of the detainees and can exercise the same functions under the act that are exercised by trained youth workers, including search and seizure and the use of force. Minister, why has the government chosen to use adult corrections workers for the transfer of children and young people and not youth justice workers?

MS STEPHEN-SMITH: I thank Mr Hanson for his question. I was struggling to see where he was going with that, with the very long preamble. That has been a longstanding practice, but it has also been drawn to my attention directly by the Inspector of Correctional Services, who will take responsibility for oversight of the Bimberi Youth Justice Centre next month. He has also proactively drawn to my attention some of the concerns that have been raised with him about the use of those corrections officers who normally look after adult detainees to provide that court transport service. That is something that we will be responding to as we look into that issue. At present it has been a longstanding practice, but it is something that I am aware of, and we will certainly look into it.

MR HANSON: Minister, why have the corrections officers who escort young detainees not been specifically trained in how to deal with youth in their custody in accordance with the Children and Young People Act, including search, seizure and the use of force?

MS STEPHEN-SMITH: I thank Mr Hanson for the supplementary. As I said, that is a matter that has recently been drawn to my attention. I will be working on how to respond to that, as we respond to all recommendation from all oversight bodies which, as Mr Rattenbury has said, it is an ongoing process of improvement across our justice system.

MRS JONES: Minister, given that this practice is totally unacceptable, will you immediately cease it whilst you decide how to respond to the report?

MS STEPHEN-SMITH: I thank Mrs Jones for the supplementary question, but I do not agree with her characterisation. A concern has been raised in relation to this matter. We are looking at what we need to do to respond to that concern. We will respond to it, as we do with all concerns that are raised by oversight agencies in the normal course of business.

Hospitals—day surgery capacity

MRS DUNNE: My question is to the Minister for Health. Minister, I quote from a Facebook post that appeared on my feed yesterday, 27 November. It reads: “My mum was booked for surgery yesterday, we got her up and dressed by 5.30 to go by 6am to day surgery unit; waited around for 5 hours, only to be told the surgery is cancelled as they don’t have enough beds for the next 4 days ... She was dressed in operating gown etc. thankfully not cannulated yet. Family had flown here, booked accommodation etc. It is just so sad. All that anxiety now put off to go through it all again until next week which is still not confirmed.” Minister, why did it take five hours for a day surgery patient to be told that she could not have day surgery because there would not be enough recovery beds for her?

MS STEPHEN-SMITH: I would appreciate it if Mrs Dunne were able to clarify—I am not sure if it was clear in the Facebook post—which hospital the patient was being seen at.

In relation to Canberra Health Services and Canberra Hospital, I have been assured that Canberra Hospital seeks to reschedule operations as infrequently as it can, but sometimes there are pressures resulting from emergency surgeries that come in where elective surgeries have to be rescheduled. Again, when they have to do that, they seek to do that in the timeliest way possible with the least disruption to people possible.

We are talking about a complex system that is one of the busiest hospitals in the country in terms of emergency, an acute tertiary hospital that serves the ACT and surrounding region very well. One of the things that I have been talking with Canberra Health Services about is how we communicate those things better to patients and families to ensure that they are receiving timely information if surgery does have to be postponed.

I am very sorry to hear about the experience that has been conveyed to Mrs Dunne via Facebook. If there is further information available, of course we will look into the specifics of that matter.

MRS DUNNE: Minister, do Canberra Health Services or Calvary hospital prioritise elderly people when they are looking at cancellations to ensure that they are not disrupted? As you can see from the story that goes with this, a lot of planning was gone into by this woman’s family to ensure that she was properly cared for. How do you go about ensuring that these elderly people are not put in such difficult positions?

MS STEPHEN-SMITH: Ignoring the fact that Mrs Dunne went on with a preamble that she would certainly have called others out on and then asked another question—

Mrs Dunne interjecting—

MADAM SPEAKER: Mrs Dunne.

Mr Gentleman: A point of order, Madam Speaker.

MADAM SPEAKER: Resume your seat.

Mr Gentleman: Interjections are unparliamentary. We have seen Mrs Dunne interject twice during the last question to the previous minister. She has interjected again. She is on a warning for interjections. I would ask that you call her to order.

Mr Hanson: On the point of order, Madam Speaker—

MADAM SPEAKER: Yes, Mr Hanson.

Mr Hanson: Mrs Dunne asked her question. There was no point of order while she was asking the question. You did not raise a problem with it. The minister has not been directly relevant to answering and has wandered off on a tangent. I ask her to be directly relevant to answering Mrs Dunne's question.

MADAM SPEAKER: I was on the verge of calling Mrs Dunne to be succinct in her single supplementary question. Let us get back to the clock and get back to the minister's response.

MS STEPHEN-SMITH: Older patients, of course, do matter. All patients in our health system are extremely important to Canberra Health Services, which strives to provide excellent quality care across the entire system for every single patient, and to support their families and carers in the process.

Clinical need is the primary driver of decisions about when surgeries have to be postponed or rescheduled. Certainly, I will take on notice to see whether I can provide any further information to Mrs Dunne about any other considerations that may be made in relation to specific patient circumstances above clinical need, in making those decisions.

MR HANSON: Minister, when are you going to start recording and publishing surgery cancellation statistics? If you are not going to do that, why not?

MS STEPHEN-SMITH: I thank Mr Hanson for the question. Of course, we publish a lot of data in relation to the operation of Canberra Health Services and the ACT health system through a range of measures, not just our own quarterly reporting and annual reporting. Of course, we report through the Productivity Commission and the Australian Institute of Health and Welfare—

Mr Hanson: Madam Speaker, on a point of order on relevance.

MADAM SPEAKER: Yes, Mr Hanson.

Mr Hanson: I appreciate that the government does publish a lot of statistics. What I am specifically asking is whether she will be providing statistics on surgery cancellations.

MADAM SPEAKER: Minister, you have a minute and a half. I am sure if there is any clarification, you can provide that.

MS STEPHEN-SMITH: Thank you, Madam Speaker. I thank Mr Hanson again for the question but the data that we collect is generally driven by the shape of those national data reporting systems. But I will take on notice Mr Hanson's question about whether it is possible for us to improve and increase our reporting in relation to that, if we do not already do so through those multiple mechanisms of reporting.

Government—support for people with disability

MR GUPTA: My question is to the Minister for Disability. Can you please update the Assembly on the ACT government's work to promote inclusion for people with disabilities across Canberra?

MS ORR: Thank you, Mr Gupta, for your question. On 28 October seven local community organisations were awarded funding as part of the 2019 I-Day grants program. These recipients will share \$25,000 to deliver I-Day celebrations in the ACT to be held on 3 December. I-Day helps raise awareness and understanding of disability issues.

Some of the successful recipients of the I-Day grants include: Belconnen Arts Centre through their bounce back exhibition and workshop which showcases the achievements of artists with disability; Capital Health Network to fund projects that support effective communication and improve health pathways for people with disability; and Women with Disability ACT which will be able to fund a disabilities in business networking event panel discussion. This will build upon the fundamental support they already provide to non-binary and female-identifying people in our community to discuss employment in the business sector.

Recently we have also announced this year's successful recipients for disability inclusion grants. Fifteen local businesses and organisations received funding for various initiatives that will make Canberra more inclusive for people with disability.

These grants reflect the ACT government's enduring commitment to remove barriers for people with disability to ensure that all Canberrans can participate meaningfully in social life. With one in five Canberrans identifying as having disability it was great to see so many community groups show their genuine desire to improve accessibility standards across Canberra.

MR GUPTA: Minister, can you outline some of the initiatives that will be provided as a result of the recently announced disability inclusion grants?

MS ORR: I thank Mr Gupta for his follow up question. A full list of the 2019 disability inclusion grant recipients can be found on the community services page on the ACT government website. Whilst these grants were allocated to groups that demonstrated a commitment to make Canberra more accessible and inclusive, I was pleased to see a diverse range of initiatives. As Minister for Disability, I believe that accessibility and social inclusion should be considered in all aspects of social life, which is why it is great to see some leading innovative approaches to facilitate social inclusion in our community.

Some of these include Tuggeranong Community Council's investment to making SouthFest more accessible to people with disability, particularly those with sensory issues; Tuggeranong Community Arts holding an expressive design for disability exhibition; and the ACT Woodcraft Guild in Woden being awarded funding to install hearing loops in their facility to ensure that Canberrans with hearing impairments can participate in classes.

I am proud to belong to a government that is taking tangible steps forward to promote the social inclusion of people living with disability. The allocation of these grants is just one example of this. It is great to see so many community organisations across Canberra making a real difference to the lives of people living with disability to ensure that everyone in our community can participate in social events and activities.

MS CODY: Minister, as we approach the summer months, what is the ACT government doing to ensure that outdoor recreation facilities are inclusive?

MS ORR: I thank Ms Cody for her question. On 14 October I opened the first accessible barbecue in Canberra, at the Cotter bend. Here in Canberra we are lucky to have beautiful parks and spaces that we can enjoy our natural environment in. As Minister for Disability, I recently partnered with members of the community to launch the first wheelchair-accessible barbecue here in Canberra. At the launch Erin Hogan, who is a resident of the Molonglo Valley, cooked her first-ever barbecue because she was able to access the barbecue in her wheelchair.

This new, accessible barbecue is just one of the ways our government is making outdoor recreation facilities inclusive across Canberra. With summer just days away, it is great to see all Canberrans being able to enjoy our public spaces and facilities. Like all kids, kids with disability deserve the right to enjoy outdoor play spaces, and it is great to see inclusive play equipment and footpaths installed in the upgrades to existing playgrounds across Canberra.

In my capacity as Minister for Disability, I look forward to working with the ACT government, community organisations and people with disability to ensure that Canberra achieves its goal of becoming the most accessible and socially inclusive city it can be.

Waste—Hume collection site

MS LAWDER: My question is to the minister for regulatory services. The pop-up tip in Hume, on Paspaley Street, has sat idle for many months with stockpiled waste piled

high. We have asked questions about this pop-up tip in the past. Has the owner of the site failed to comply with any conditions set by WorkSafe or any other ACT government body and, if so, what legal action is being taken by the government?

MR BARR: I will seek some advice from those regulatory agencies and get back to the member in due course.

MS LAWDER: Minister, what bond was paid to underwrite this tip, and what will it cost the government to clean up this site?

MR BARR: Again, I will seek that information and take the question on notice.

MR WALL: Chief Minister, what steps is the government pursuing to manage the environmental risks such as fire, vermin and dust in the forthcoming dry summer months?

MR BARR: Obviously those matters, together with other site safety matters, are the responsibility of those regulatory agencies. I am confident that they do their jobs diligently, but I will take the detail of the question on notice.

Transport Canberra—student safety

MISS C BURCH: My question is to the Minister for Transport. Minister, when will the government fix the transport network so that it is more accessible and safer for students to travel on?

MR STEEL: I thank the member for her question. As we discussed yesterday, there are more school students using public transport than there were under the old network, which is a fantastic outcome. Of course, we continue to work very closely with schools through the schools liaison committee. As a result of that we have made around 136 tweaks to the system, many of them in relation to school bus routes and timetables, and working with schools around infrastructure to make sure that students can move to stops. We will continue to listen to the community's feedback, working closely with schools and talking with them about what improvements we can make to encourage more students to use public transport.

Mr Hanson interjecting—

MR STEEL: What we are seeing under the new system is that students have adapted really well, to the extent that, under our seven-day network, which they are now used to, they are now—

Mr Hanson interjecting—

MADAM SPEAKER: Mr Hanson, enough.

MR STEEL: using the bus on the weekend. We are seeing a massive increase in the number of student concession cardholders using public transport on the weekend to get around, to see their friends, to participate in sporting activities and the like, which

is absolutely fantastic. We will continue to make sure that we encourage students to use public transport going forward.

MISS C BURCH: Minister, when will you acknowledge that as a result of the network changes more cars have been on our roads because parents are concerned about their children's safety on Canberra's transport network?

MR STEEL: When the number of student dips below the levels of the previous network, and we have seen the exact opposite of that. More school students are using public transport, which is fantastic and is the exact outcome the government was trying to achieve with a new transport network and the expansion of light rail. We are trying to attract people to use public transport overall. Whether they are students or older Canberrans or anyone in our city who wants to move around, public transport is a great option, and we want to make it a viable alternative for all Canberrans, including students. We will continue the work that we are doing to expand light rail to other parts of our city, particularly on the south side. That is something that we on this side of the chamber are absolutely committed to. Of course, we have heard complete silence from those opposite on their plans for transport. They have none.

MS CHEYNE: Minister, how has the government been supporting students to engage with the bus network?

MR STEEL: I thank Ms Cheyne for her question and for her interest in public transport. Of course, as part of the new network changes we had customer service officers available at all of our interchanges. They remain there providing information to all customers of Transport Canberra. They are providing information about how to get around our transport system.

I know from feedback from members like Ms Cheyne and Ms Berry that this is a service that is really valued by Canberrans. It is a new service that has not been available before. It is something that I think we will keep on working with because it is a system that is enabling people to use public transport and also get used to what was a very significant change to the public transport system, the biggest change since 1999. Obviously, we needed to provide people with information and those customer services officers have been really important.

We also engage very closely and directly with the schools, providing them with information about the bus system. We will continue to do that through the schools liaison committee in particular to meet the needs of individual schools. We are looking at improvements around active travel so that students and their families feel comfortable about walking the last part of the journey to school and crossing roads around schools. We have just recently this week released the evaluation report on the school crossing supervisor program, which has shown very positive results and certainly supports our government's investment in making sure that students feel safe going to school, walking to school and going on public transport.

Lake Tuggeranong—water quality

MS CHEYNE: My question is to the Minister for the Environment and Heritage. Can the minister provide an update on water quality in Lake Tuggeranong?

MR GENTLEMAN: I thank Ms Cheyne for her question and her interest in the environment right across Canberra.

Lake Tuggeranong was constructed in the early 1980s to provide erosion and sediment control for the developing suburbs of Tuggeranong, protect the environmental values of the Murrumbidgee River, and provide amenity and a focal point for the Tuggeranong town centre. To date it has delivered on these tasks.

Unfortunately, a result of trapping nutrients and protecting downstream environments has been blue-green algal blooms in previous summers. With hot, dry conditions expected this summer, more blooms are quite likely. The ACT government is aware of this issue and is working hard to improve water quality in Lake Tuggeranong to prevent algal blooms occurring in the future.

MS CHEYNE: Can the minister provide an update on the government's work to improve water quality in Lake Tuggeranong?

MR GENTLEMAN: The ACT government is committed to improving water quality in Lake Tuggeranong. That is why we co-invested with the Australian government in the \$93 million healthy waterways project, focused on addressing water quality issues in the region's waterways.

Significant elements of this project have been and continue to be conducted in Tuggeranong. Seven of the 20 water quality assets constructed through the healthy waterways project are in the Tuggeranong catchment. These include four rain gardens, a wetland, a pond and channel restoration.

In addition to the construction of water quality assets in the Lake Tuggeranong catchment, research led by Associate Professor Fiona Dyer and her team at the Institute for Applied Ecology at the University of Canberra is being undertaken as part of the healthy waterways project. Associate Professor Dyer and her team are investigating the source of nutrients driving algal blooms in Lake Tuggeranong and identifying options that could be applied once algal blooms arise. I would like to take this opportunity to commend Associate Professor Dyer and her team for their work to date. I look forward to the release of the report in the coming weeks.

The government will continue to work with key stakeholders during the summer of 2019-20, on initiatives such as public education aimed at reducing pollution from households; examining the management of city-owned green spaces; and investigating whether some of the codes, such as the water sensitive urban design code, are supporting the water quality outcomes that we would expect.

MS CODY: Minister, how has the ACT government's commitment to healthy waterways improved the water quality in Lake Tuggeranong?

MR GENTLEMAN: I thank Ms Cody also for her interest in the environment in this area. The government's commitment to healthy waterways is helping to improve the water quality in Lake Tuggeranong. The seven assets I talked about earlier

constructed through the healthy waterways project in the Tuggeranong catchment are estimated to intercept 732 tonnes of sediment and nutrients a year that would otherwise end up in the lake where they can drive algal blooms. The seven water quality assets recently built in the Lake Tuggeranong catchment are particularly effective at intercepting nutrients from stormwater in the first flush of storms. The water quality assets are helping lower nutrient loads entering Lake Tuggeranong.

The healthy waterways investment in the research conducted by Associate Professor Dyer and her team will greatly improve the ability of the ACT government to understand water quality problems and formulate cost-effective, evidence-based solutions. I look forward to reviewing the progress made this summer and then outlining ongoing steps for a lasting solution to algal blooms for the Tuggeranong community.

I congratulate our Conservator for Flora and Fauna, Ian Walker, and his whole team on their efforts on this project and their nomination for the Banksia environmental awards this year.

Mr Barr: I believe that is question time for the year, Madam Speaker. I ask that all further questions be placed on the notice paper.

Supplementary answers to questions without notice

Sport—swimming pools

Homelessness—services

MS BERRY: I have a correction to make to information I provided yesterday in answer to a question with regard to the Erindale swim centre. I said that it was open this weekend. It is not open this weekend. The date has been changed. It will be open the weekend after.

I will also provide information on specialist homelessness sector Christmas and new year opening hours. The ACT government acknowledges that the upcoming festive season is often a challenging time for individuals and families, particularly those experiencing homelessness, who still require access to a range of services during this time.

At this time of the year ACT specialist homelessness sector organisations advise clients of their Christmas hours and provide information about supports available, including Lifeline, the AFP and the Domestic Violence Crisis Service. Additionally, information is provided on where to find free food over this period, should they find themselves in a crisis situation.

The sector's accommodation providers will continue to support their clients as per normal during this period. The Volunteering and Contact ACT free meal, laundry and shower holiday guide will be publicly available by 13 December 2019. OneLink will be closed from 25 to 26 December 2019 and on 1 January 2020. On 27 December OneLink will take calls between 10 am and 4 pm. On 28 and 29 December OneLink staff will be available to take phone calls between 12.30 and 5 pm. On 30 and 31 December 2019 OneLink staff will be available to provide face-to-face services

between 10 and 4, with normal phone calls available between 8 am and 6 pm on both days. Normal operating hours will resume on 2 January 2020.

The Street to Home phone line will be diverted to Samaritan House, who are available 24/7 during the holiday period for immediate support from 25 December to 1 January 2020. The early morning centre will be closed on 25 and 26 December and on 1 January 2020. The early morning centre will provide hampers to guests for the days that they are closed.

Schools—bullying

MS LEE: Earlier in question time, in the question that I asked, I think I said it was during school hours. I am informed it was immediately after the bell.

MADAM SPEAKER: Thank you. I am sure the minister will follow that up with you.

Papers

Madam Speaker presented the following paper:

ACT Legislative Assembly Speaker's Delegation to Kiribati and Fiji—1 to 8 September 2019, dated 26 November 2019.

Mr Gentleman presented the following papers:

Alexander Maconochie Centre—Accommodation and facilities for women—Response to the resolution of the Assembly of 25 September 2019.

Alexander Maconochie Centre and the Hume Health Centre—Progress on the new reintegration centre—Statement.

Annual Reports (Government Agencies) Act, pursuant to section 13—Annual report 2018-2019—Chief Minister, Treasury and Economic Development Directorate (3 volumes)—Corrigendum.

Blueprint for Youth Justice in the ACT 2012-22—Final report—Government response.

Climate Change and Greenhouse Gas Reduction Act, pursuant to subsection 15(3)—Minister's annual report 2018-19.

Economic Development and Tourism—Standing Committee—Report 6—*Inquiry into drone delivery systems in the ACT*—Government response.

Electoral Act, pursuant to subsection 10A(3)—*A limited electronic voting option for electors who are overseas*—ACT Electoral Commission report to the Legislative Assembly—Government response.

Estimates 2019-2020—Select Committee—Report—Appropriation Bill 2019-2020 and Appropriation (Office of the Legislative Assembly) Bill 2019-2020—

Recommendations 21 and 23—Development of wellbeing indicators for the ACT—Government response, dated 28 November 2019.

Recommendation 80—Update on the 2019 ACT influenza season, and response to the resolution of the Assembly of 18 September 2019, dated November 2019.

Recommendation 93—Update on the establishment of the Winnunga Aboriginal Health and Community Services at the Alexander Maconochie Centre, dated November 2019.

Gaming Machine Act—

Pursuant to section 168—Community contributions made by gaming machine licensees—Report by the ACT Gambling and Racing Commission—2018-19, dated 28 October 2019.

Pursuant to subsection 179A(2)—Gaming machine tax rebate statutory review—Report, dated November 2019.

Gene Technology Act, pursuant to subsection 136(2)—Operations of the Gene Technology Regulator—Annual reports.

2015-2016, dated 30 September 2016.

2016-2017, dated 6 October 2017.

2017-18, dated 2 October 2018.

2018-19, dated 27 September 2019.

Judicial Commissions Act, pursuant to subsection 61A(5)—ACT Judicial Council—Annual report 2018-19.

Light Rail Stage 1—Scope and methodology of benefits review—Response to the resolution of the Assembly of 31 July 2019.

Milk bank—Feasibility of establishing—Report—Response to the resolution of the Assembly of 31 October 2018, dated November 2019.

Official Visitor Act, pursuant to subsection 17(4)—Annual report 2018-2019—Mental Health Official Visitor.

Physical activity in schools—Response to the resolution of the Assembly of 3 April 2019, dated November 2019.

Planning and Urban Renewal—Standing Committee—Report 10—Draft variation No 355—Calwell Group Centre: Zone Changes and amendments to the Calwell Precinct Map and Code—Government response.

Public Accounts—Standing Committee—Report 7—*Inquiry into Auditor-General's Report No 1 of 2017*—Government response, in relation to WorkSafe ACT's management of its regulatory responsibilities for the demolition of loose-fill asbestos contaminated houses.

Public Interest Disclosure Act 2012—Review—Response to the resolution of the Assembly of 3 April 2019, concerning a review of whistleblower protection—Statement, dated 28 November 2019.

Teacher and student safety—Response to the resolution of the Assembly of 24 October 2018, dated November 2019.

Therapeutic Responses to Children and Young People with Complex High-Level Needs, including Substance Use Disorders—Response to the resolution of the Assembly of 31 July 2019

Tuggeranong—Anketell Street—Re-routing of buses—Response to the resolution of the Assembly of 14 August 2019—Statement.

Wanniassa Park and Ride access—Response to the resolution of the Assembly of 18 September 2019—Statement.

Breastmilk bank

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services) (2.58): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Milk bank—Feasibility of establishing—Response to the resolution of the Assembly of 31 October 2018.

MS STEPHEN-SMITH (Kurrajong—Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Health and Minister for Urban Renewal) (2.58): I am pleased to report to the Assembly on the findings from the investigation into the feasibility of establishing an official milk bank in the ACT. I acknowledge the personal stories that were shared in October 2018 by my colleague Ms Cheyne on behalf of many local women, and thank the Assembly for supporting the ACT Health Directorate to engage in this work, which is clearly a matter of community interest.

The benefits of breastmilk are numerous. The World Health Organisation recommends exclusive breastfeeding for the first six months of life, recognising the unique properties of breastmilk. The evidence is clear. The promotion and protection of breastfeeding is an important public health priority, with significant and lasting health benefits for both mother and baby.

The October 2017 Assembly resolution called attention to the intrinsic value of breastmilk and asked the government to investigate the feasibility of a local service which would allow parents to safely obtain breastmilk for their child when there is insufficient mother's own milk, as well as provide the opportunity for mothers to donate their own milk. The resolution suggested that the establishment of a local milk bank might address these requirements by providing a service facilitating the donation, processing and supply of breastmilk.

The ACT Health Directorate has completed the investigation on the feasibility of a local milk bank. This work included consultation with key subject matter experts across the areas of milk bank management, nutrition, neonatology, lactation support, milk sharing practices, and community perceptions.

I would like to extend my appreciation to all of those who participated in the consultations for their time and expertise. The issues of infant feeding practices and breastfeeding are personal and often emotive topics, and the ACT community benefits from a wealth of passion, knowledge and advocacy for maternal and child health.

The findings of the investigation are set out in *Feasibility of establishing a milk bank in the ACT*. The report will be publicly available on the ACT Health website as well as being tabled today. The report found that most of Australia's milk banks are housed within hospitals. These milk banks provide pasteurised breastmilk to a limited number of premature and underweight babies who meet the eligibility criteria for use of pasteurised donated breastmilk.

While there is clear evidence regarding the benefits of giving pasteurised breastmilk to vulnerable premature babies, there is not enough evidence at this time to suggest that the use of pasteurised breastmilk should be expanded to wider population groups.

Fresh, unprocessed breastmilk is not the same product as donor breastmilk provided by a milk bank, which is why every effort is made to provide mothers' own milk to vulnerable babies where possible. This is because the pasteurisation process, while reducing the risk of infection, damages key immunological and nutritional components of the milk. In fact, as the nutritional properties of breastmilk change based on the age of the infant and the pasteurisation process changes milk composition, best practice recommends that donor milk is fortified with extra nutrients before being provided to premature babies.

While there are enough benefits retained in pasteurised breastmilk to protect against severe gut complications in vulnerable infants, we do not know the impact of pasteurised breastmilk in other babies, and until more is known the ACT government will only supply pasteurised donor milk to babies who are born premature and meet the specific eligibility criteria.

As the number of eligible babies is very small, the ACT does not need many litres of donor milk per year to be able to meet demand. This means that establishing a local milk bank service is not a financially viable option, given the low volumes of pasteurised donor milk that the ACT uses annually.

Through exploring the available options, the ACT Health Directorate has determined that the most feasible solution is to maintain current arrangements by sourcing pasteurised donor milk from an interstate milk bank. This will ensure that our very premature and vulnerable babies continue to receive the best possible care.

A significant driver of community demand for a milk bank has been not only about receiving breastmilk but also about providing local women with the opportunity to donate their excess breastmilk to babies in need. The ACT Health Directorate's report shows that establishing a breastmilk collection process for local women may be a feasible option on top of maintaining current supply arrangements.

To this end I have asked the ACT Health Directorate and Canberra Health Services to continue to discuss opportunities for eligible women in the ACT region to donate their excess breastmilk through an established process that gives donors the peace of mind that the appropriate screening and processing will be undertaken. This may involve building a relationship with the Red Cross milk bank, which facilitates breastmilk collection in South Australia and New South Wales.

To address the gap in the medical literature, the ACT will aim to participate in research that examines the benefits of pasteurised breastmilk in wider groups. If medical eligibility criteria expand, the ACT Health Directorate will reassess the potential demand for and financial implications of a local service.

I also recognise that informal milk sharing will continue to occur in the ACT. The government and health services will develop educational materials that are accessible and work with Canberra families to ensure they are informed about the evidence available when making their choices.

Finally, the report emphasises the value of strong breastfeeding and lactation supports. This aligns with the Australian national breastfeeding strategy 2019 and beyond, which was endorsed by all Australian health ministers on 8 March 2019. The national strategy seeks to achieve an enabling environment for breastfeeding through policies, education and support services. Implementing this strategy at a local level will be a key foundation for child health in the ACT, and the ACT Health Directorate is currently developing an implementation plan to progress important action in this space.

I thank the Assembly for the opportunity to deliver the outcomes of this work, and Ms Cheyne for her advocacy on this matter.

MS CHEYNE (Ginninderra) (3.05): I thank the minister and the directorate for this report today. It appears, from what the minister said, to be very comprehensive, and I look forward to its publication and to reading it in detail.

This came about through a motion that we passed unanimously. I believe it was on the agenda on Mrs Jones's first or second day back from maternity leave last year. I recall that it was a really lovely debate in this place where we came together. I want to put on the record my thanks to the minister and the directorate for undertaking this serious and important work because it is a key issue for the Canberra community. We heard that in October 2018, and we continue to hear that, if the correspondence that my office receives, and I am sure other offices receive, is anything to go by. Indeed the petition started by Rob Gascoigne earlier this year is one signature shy of 2,000, which demonstrates that this community is very keen to be a giving community in a way that is safe and supportive.

I appreciate that this has been a very big body of work. I know that all of our health professionals are working incredibly hard at all times and have a very big body of work, without having extra motions put forward by Assembly members. I appreciate just how much effort has been undertaken. I understand from the community members who have reached out to me that there was significant consultation with stakeholders on this, so I expect that the report does have the most up-to-date and available information.

I accept that the directorate has provided advice not to proceed with a milk bank at this stage, in part due to our low population numbers. I am particularly encouraged to hear, from the minister's words today, that it is not entirely off the table. It is not off

the table forever, and if circumstances change it may well be back on the agenda. Key to that, it seems, is more medical research about the benefits of pasteurised milk being shared more widely within the community rather than just in a NICU hospital setting.

I was especially pleased to hear the minister state that she has asked for work to be done with a safe, secure collection service—perhaps with the Red Cross, who we know are really picking up their efforts in this space nationally. I am pleased about this because one of the common themes that we have heard and that we reported on in this place a year ago is that sometimes it is about the travel, the distance and occasionally the safety, or perceptions of safety, with those sharing arrangements. In many cases people want to donate and do have that excess supply but they simply cannot leave their residence, for whatever reason, to be able to give this gift.

I am very much looking forward to future work in this space, and I thank the minister for her report today.

Question resolved in the affirmative.

Mental Health Official Visitor—annual report 2018-19

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.09): Pursuant to standing order 211, I move:

That the Assembly take note of the following paper:

Official Visitor Act, pursuant to subsection 17(4)—Annual report 2018-19—Mental Health Official Visitors.

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) (3.09): I am pleased to table the Mental Health Official Visitor Annual Report for 2018-19. I am tabling this report in accordance with my obligations under the Official Visitor Act 2012. The role of official visitors is important. They aid in the protection of the human rights of vulnerable people by facilitating their access to an independent complaints process, reporting on systemic issues to government and providing an oversight of the accommodation and services that vulnerable people are dependent on.

Official visitors are valued and trusted people in the community who are carefully selected for their role due to their experience and qualifications in the area to which they are appointed. Most importantly, an official visitor is not subject to the direction of anyone else in relation to the exercise of a function under the Official Visitor Act. This level of independence allows official visitors to safeguard standards of treatment and care and advocate for the rights and dignity of people being treated under the Mental Health Act.

In carrying out their functions official visitors are required to identify and report issues of concern. Official visitors provide independent oversight of visitable places,

thus increasing transparency by reporting to government about conditions and concerns they identify.

The report identifies that the primary concern raised by official visitors during the reporting period has been the acuity, demand and subsequent impacts on services at the crisis end of the service system and the related challenge of suitable exit points for mental health consumers. The report also notes occupational and consumer-on-consumer violence as a significant concern within the mental health service system.

The ACT government is aware of the challenges being faced in the acute mental health system. The demands on the mental health system are well known and my response as the minister is that we are strategically planning and working to address some of these issues for a variety of projects and pathways. These include the trial of a patient flow coordinator to support management of demand for inpatient beds across the public health system, a dedicated consultant psychiatrist in the emergency department of Canberra Health Services, and the creation of a five-bed subacute pod located in the adult rehabilitation unit at the University of Canberra hospital to better utilise capacity at the University of Canberra Hospital. This setting provides care in a less restrictive environment than the adult mental health unit and provides patients with additional options for suitable exit points.

The creation of a four-bed area within ward 7B at Canberra Hospital has also contributed to reducing some of the pressure and demands in the mental health system. This ward is suitable for and can accommodate patients with physical health conditions that are concurrent to their mental illness. To meet the demand issues we face, a key component is to increase our non-acute beds to help avoid a person requiring acute care.

At a whole-of-system level, investment has been made in infrastructure such as the south side step up, step down unit which provides additional support for people to live in their community. The objective of this investment is to divert people from a hospital admission and provide less restrictive care in a community-based environment. This is a leading priority for any mental health system.

Across the board, mental health services provide consistent high quality care for patients seeking treatment, and I am pleased to report that the official visitors receive very high praise for the staff and support at the facilities. Mental health systems rely on these highly skilled and caring individuals, and I commend these workers for their effort and ongoing commitment to patient care.

In accordance with my obligations under the Mental Health Act I commend the report to the Assembly.

Question resolved in the affirmative.

Unit Titles Legislation Amendment Bill 2019

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

Title read by Clerk.

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services) (3.14): I move:

That this bill be agreed to in principle.

Canberra is a modern and changing city. A walk around our city, our town centres and along the revitalised Northbourne Avenue demonstrates the government's and community's commitment to creating a compact and efficient city. Our skyline is changing as a reflection of the way people are choosing to live. People are preferring a city experience, living close to jobs, transport, restaurants, cafes and high quality urban areas. Townhouse and apartment developments are delivering this to our community. In particular, units plan developments combine residential with commercial uses, offering access to shops, cafes, gyms, health services and other facilities, and active lifestyle choices for many people at their front door.

As of 1 September 2019, 4,100 units plans have been registered in the ACT which incorporate almost 58,500 individual units. Just under 10 per cent of these are registered as commercial units. In addition to an overall increase in the number of units available these units are in larger developments. In the three years to 2018 the number of units plans with more than 40 units has more than doubled compared to the three years to 2015.

More people in Canberra are choosing to buy or live in a unit, whether as a foot in the door to their first home, as an investment property, a long-term chance to live close to work and amenities, or as an option for downsizing. The growth will continue. The ACT planning strategy released last year has us moving toward 70 per cent of new development within our current urban footprint.

Northbourne Avenue's transformation is ongoing and urban renewal is happening in the city and town centres. In short, units plan development is and will continue to be a major part of our city. We need legislation and regulations to reflect and support this as the city grows.

Our current unit title legislation was developed for single use where all the units in a development were either residential or commercial. While property owners and developers have continued to be protected by this legislation, it has become increasingly difficult to achieve efficient and equitable outcomes. The legislation is now significantly out of step with legislation in other jurisdictions such as New South Wales and Queensland.

The government saw an opportunity to modernise, reform and improve this legislation. Since 2016 we have been progressing work on the reform. This reform forms an important component supporting the government's delivery of the ACT planning

strategy to deliver a city that is compact and efficient, diverse, sustainable and resilient, livable and accessible.

Unit living helps to deliver on the aims of the ACT planning strategy. People are located close to jobs and transport, allowing them to ride or walk to work and providing shops, cafes, and services close to home. Unit living in Canberra keeps the urban footprint compact and creates livable communities. Up-to-date and effective unit title laws and processes are necessary to support the variety of residential and commercial users of new developments and for realising their potential to provide an effective housing choice.

In August of this year Minister Ramsay and I announced the work being done by the government through the managing buildings better reforms. I am pleased to provide the Assembly with an update on the progress of the important work the government is doing to enable us to have a modern and robust framework to govern unit living.

In collaboration with my colleague Minister Ramsay I share in the opportunity to introduce the Unit Titles Legislation Amendment Bill 2019 to the Assembly. We initiated a reform project for units plan developments in response to the growing need to address issues affecting units plans and, in particular, the increasing number of developments that incorporate both residential and commercial uses. The focus of the project is to improve the governance and management arrangements for units plan developments, including developments that cater for multiple uses as well as units plan developments in general.

We know that investing in an apartment or a business is a big financial decision for people and that they want to know what they are buying into. We have heard that owners, developers and commercial operators are concerned about inequities between residential and commercial unit owners. We have heard that people want to invest and live in units that are well maintained.

We began consulting with the community in 2016 to thoroughly understand what the issues are, what effect they have and the possible solutions to address them. During 2016-17 we listened to the concerns of unit owners and residents, body corporate managers, developers and legal practitioners. This engagement process identified complex matters ranging from prohibitive decision-making procedures, inequitable costs arrangements between residential and commercial unit owners and the need for improvement in the initial planning and design of units plan buildings.

We also heard that there is a need to address administrative processes and management to deliver significant improvements to the function of all units plans. It is evident from the feedback from stakeholders and the community that reforms are necessary to improve the livability and management of units plan developments into the future. Furthermore, the increasing number of new units plan developments being constructed or proposed for construction means that now is the time to ensure that our laws cater for the immediate and future needs in the planning, design, building and management of these complexes.

The information gathered through the consultation showed three key areas for reform: first, updating governance and management frameworks for new and existing developments; second, reviewing administrative procedures for all units plans; and third, changing planning and design requirements to better support units plan developments. Finding solutions to address these three key areas has been the focus to improving unit living in all units plans.

We have considered a range of approaches to address these matters, including information campaigns, a pilot project, and a full-scale legislative review package. Several other jurisdictions have undertaken similar reform exercises in a variety of ways, such as New South Wales whose recent amendments to their strata legislation took approximately four years to complete. In comparison, WA conducted a full review of their strata legislation, taking 10 years to achieve the introduction of completely new legislation.

The ACT has had the benefit of learning from these jurisdictions both in the approach to their reforms as well as the effectiveness of the reforms. It has also provided the opportunity to use some of the solutions which will fit best with the needs of the ACT, such as decision-making processes and meeting requirements.

The interaction of these reforms with other relevant reform projects also points to the need to assess the most effective method of delivery so that these initiatives work collaboratively. These include a range of potential measures involving actions such as variations to relevant Territory Plan codes, variations to the Building Code under the Building Act, and interaction with the full ACT planning review as well as with other projects currently underway. Ongoing review of the administration and development assessment practices is also essential to the reform process.

In order to achieve reforms in the most timely and practical manner and to permit full coordination with other relevant projects, we will be delivering legislative change in two stages. Stage 1, which is the focus of the bill, involves practical legislative amendments that can be achieved in the short term to address discrete, self-contained practical solutions.

Stage 2 will then review more substantial changes and provide the additional time needed to conduct further analysis to support the viability and efficacy of more complex amendments. This will facilitate the implementation of more immediate solutions in the first stage while allowing further in-depth examination of more complex matters to occur for implementation in stage 2.

With today's introduction of the Unit Titles Legislation Amendment Bill 2019, stage 1 reforms are being realised with implementation to occur in the first half of 2020. We will also be consulting on stage 2 reforms throughout next year with a view to the commencement of further legislation in 2022.

The phased approach addresses the concerns of owners, residents, occupiers and developers by acting quickly on the simpler reforms while also progressing longer term issues to streamline the legislation governing unit developments.

Our approach will balance efficiency and effectiveness to deliver the best outcomes. Our approach will be citizen-centric and focus on consistency and integration with other government policy. This project complements the work being carried out on building reform and the review of the Territory Plan under the ACT planning review.

Canberra will continue to be a compact and efficient city in the landscape with more growing up and not out. Reform to our unit titles legislation is a key way the government can deliver on this objective and other themes of the ACT planning strategy.

I am pleased to confirm the intention of the government to press ahead with much-needed reforms in the timely, practical and consultative manner I have outlined. I am confident that the Unit Titles Legislation Amendment Bill 2019 delivers on the first stage of reforms as well as the government's commitment to managing buildings better into the future.

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

Cemeteries and Crematoria Bill 2019

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

Title read by Clerk.

MR STEEL (Murrumbidgee—Minister for City Services, Minister for Multicultural Affairs, Minister for Recycling and Waste Reduction, Minister for Roads and Active Travel and Minister for Transport) (3.25): I move:

That this bill be agreed to in principle.

Today I am very pleased to introduce the Cemeteries and Crematoria Bill 2019 which will replace the Cemeteries and Crematoria Act 2003. The development of this bill is the culmination of work that our government has done to ensure that we truly understand the needs of all citizens of our diverse territory and ensure that those needs can be met in a financially sustainable way. In particular, the bill ensures that cultural needs and preferences around burial and cremation can be met and provides a framework to ensure that cemeteries and crematoria are operated in a way consistent with community expectations and high standards.

The review of the Cemeteries and Crematoria Act commenced in late 2018 with a comprehensive community engagement process. Over 10 weeks we held two focus groups and two information sessions, had pop-up stalls in town centres across Canberra, received seven submissions, spoke to more than 250 people face to face and received back more than 740 surveys. We engaged with the community about their needs and preferences about burial and cremation and whether their needs are being met.

Early in the engagement process the survey results indicated that we have a problem in meeting the needs of some Canberrans. More than one in 10 people who have religious or cultural needs in relation to burial or cremation say their needs are not currently being met.

To find out more about this we had detailed conversations with religious groups and multicultural communities, including the ACT Multicultural Advisory Council and the Canberra Interfaith Forum. We met with the Chairperson of the Hindu Council of Australia and members of the Sikh, Jain, Buddhist, Hindu, Jewish, Islamic, Sukyo Mahikari and Brahma Kumari communities.

The bill requires that operators consider religious and cultural needs when establishing and operating a facility and it makes it an offence for an operator to refuse a reasonable request made on religious or cultural grounds. The objects of the act will also reflect this with a key object being to respect the diverse burial, cremation and interment practices, cultural practices and religious beliefs of people in our city.

We want to ensure that the diverse needs of Canberrans now and into the future are met when it comes to burial, cremation and similar services. At the moment, some families have to travel to Sydney for funeral and cremation services. This is unacceptable in a socially inclusive society, and it is the reason that I am bringing these laws forward on behalf of the government today.

In 2017 members may recall that the Standing Committee on Environment and Transport and City Services undertook an inquiry into the management of cemeteries in the ACT. This inquiry made a number of recommendations that the government agreed to and has taken seriously. A number of recommendations from the inquiry related to crematorium facilities in the ACT, including a recommendation that the government consider the development of a second crematorium and that it be operated by the Public Cemeteries Authority. I was pleased to announce last month our intention to build a public crematorium operated by the cemeteries authority, whose role under the bill has been strengthened.

Another recommendation from the 2017 inquiry was that the government review the Cemeteries and Crematoria Act to ascertain the feasibility and financial basis for introducing a renewable tenure scheme in the ACT. Such a scheme would mean that when a person purchases a burial or interment site they would have the option of keeping the site forever or for a limited time.

We looked closely at this during the review process and put this question to the community in our comprehensive engagement process. The overwhelming feedback from the community was that such a scheme is not supported in the ACT, with around 60 per cent of survey respondents being opposed or strongly opposed to the idea. Based on this we have chosen not to introduce renewable tenure at this time. Instead, this government is focusing on meeting the needs of the community through other means, including the recent announcement of a publicly operated crematorium and pursuing development options for a memorial park in the south of Canberra.

In the engagement process the community made it clear that they considered burial, cremation and interment services to be essential public services that should meet the needs of everyone in the community. The bill recognises that operators of cemetery and crematorium facilities should be appropriately regulated. This bill establishes a mandatory licensing framework for cemeteries and crematoria with the ability to issue conditions of a licence and in extreme circumstance suspend or cancel a licence. This framework is not intended to be overly onerous to operators, and to reduce regulatory burden an operator will have to apply for a licence only once, which will then be issued for an unlimited time.

While the government has been reviewing the laws that govern our cemeteries and crematoria a deeply upsetting case of lost ashes has been raised by my colleague Ms Tara Cheyne. The case relates to children's ashes interred in a wall at Canberra's private crematorium. The wall was relocated in 1992 and during that process the ashes of some children were lost. The government took this matter very seriously and commissioned an independent audit to establish what happened.

This audit has been completed and the report has since been publicly released. During the audit process the missing remains of one child were recovered. Sadly, however, the ashes of Mr Eddy Mol's son, Timothy—Mr Mol being the courageous citizen who first brought this matter to our attention—were not recovered. This is deeply upsetting and should never happen.

Following the independent investigation into the lost ashes at Norwood Park crematorium we are making changes to the law to ensure that this never happens again. Under the bill the perpetual 10-year arrangement for the interment of cremated remains will remain. This means that, once interred, the interment lasts forever. To ensure that interred remains cannot be removed and lost in the future the bill specifies that the only way that cremated remains can be disinterred is by the written request of the family or approval of the regulator.

This means that if an operator ever wanted to, for example, move a wall, they would have to submit an application to the regulator to do so and demonstrate how the disinterment would occur. The regulator can only approve an application for disinterment if they are satisfied that the cremated remains will be handled with care and are not at risk of being mismanaged or lost. Offences are in place if an operator does not comply with these requirements under the bill.

The report of the independent audit into the lost ashes highlighted additional operational issues at Norwood Park, including a lack of formalised policies or procedures. The bill also introduces a framework to deal with this and will require all operators to keep and maintain standard operating procedures for all key processes, including burials, interments, disinterments and the collection of cremated remains. These procedures must be reviewed at least once every two years. If an operator does not comply with these requirements, they can face penalties.

The bill also creates a flexible framework to meet the needs of Canberrans into the future. We know that new technologies are emerging and becoming more popular in this space, including technologies like alkaline hydrolysis, also known as water

cremation. While this technology is not currently being used in Australia it is being taken up overseas, including in parts of Europe and the United Kingdom.

The definition of “cremation” in the bill includes alkaline hydrolysis and other non-fire methods of disposal of human remains. This will ensure that in the future the operation of these facilities will be captured by the act and all the relevant aspects of the regulatory framework will apply, including record-keeping requirements. The bill also gives us the ability to make codes of practice in the future should we find that these facilities require additional regulation.

A key aspect of the bill was to create a framework that is financially sustainable into the future. When the current Cemeteries and Crematoria Act was introduced in 2003 it established a framework to deal with the future care of cemeteries and memorial facilities. The 2003 act established two trusts to deal with perpetual care and requires operators to pay a percentage of revenue into the fund which is set aside for both short and long-term maintenance. However, as this was introduced in 2003, the territory has an unfunded liability for future maintenance of facilities in the tens of millions of dollars. To assist in dealing with the perpetual care arrangements in the bill have been simplified.

Only one type of trust will exist and that will be set aside for long-term maintenance only. Operators will be expected to undertake planning to fund short-term maintenance in the course of running the facility. The bill creates flexibility in how the trust can be used, allowing the cemeteries and crematoria authority to manage just one trust for all facilities it operates. This will provide greater flexibility and efficiencies.

The bill recognises and protects the rights of all Canberrans to burial, cremation and interment services that meet their needs and does so in a sustainable way. The regulatory framework that the bill establishes will ensure that families can have expectations around how cemeteries and crematoria facilities which provide essential public services will be operated. Importantly, the framework will provide confidence that lost loved ones will be treated with dignity and respect and will be protected in perpetuity. I commend the bill to the Assembly.

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

Public Accounts—Standing Committee Report 8

MRS DUNNE (Ginninderra) (3.36): I present the following report:

Public Accounts—Standing Committee—Report 8—*Inquiry into Auditor-General's Report No 7 of 2016: Certain Land Development Agency acquisitions*, dated 28 November 2019, together with a copy of the extracts of the relevant minutes of proceedings

I move:

That the report be noted.

This is a very important report of the public accounts committee tables today. It is a report on the *Auditor-General's Report No 7 of 2016: Certain Land Agency Development acquisitions*. It was the coming together of a long and complex inquiry, which was made longer and more complex by the changing of half the committee halfway through the inquiry. It is a testament to the good work of new members that they got across the complexity of all these issues.

The Auditor-General's report deals with four acquisitions by the Land Development Agency in 2015-16 of Crown leases and businesses in Glebe Park and West Basin, ostensibly to support the city to the lake project. The approach taken by the LDA in these acquisitions was inconsistent and not defensible. In some cases it paid considerably above what was indicated in valuations, and in some instances—thankfully unsuccessfully—tried to encourage valuers to increase their valuation. Some negotiations were characterised by chopping and changing by the LDA over an extended period while others were quick and easy and resulted in very favourable terms for vendors.

There are two different types of acquisition: the purchase of the Crown lease adjacent to Glebe Park was quite different from the three in West Basin. In the first case the LDA bought Crown lease when the land was being contemplated as part of the redevelopment of the Canberra Casino, the subject of an unsolicited bid by its owners, Aquis Entertainment.

For some reason the ACT government by way of the LDA purchased the lease when it could have left the matter to the would-be purchaser and the owner of the lease. While the \$4 million that the LDA paid for the lease was considerably more than its most recent but not current evaluation, it is likely to have been far less than if Aquis Entertainment had dealt directly with the owners of the land in the knowledge that Aquis intended to use the land for an expanded casino precinct.

While it was said that the LDA acquired the lease in order to relocate stormwater management ponds, apparently with some urgency, the lease has been in the hands of the ACT government for the past four years without a sod being turned. Despite the committee's best efforts, there are many unanswered questions in relation to this purchase.

For the leases and businesses at West Basin there was a series of irregularities. Negotiations by the LDA to buy the Mr Spokes bicycle hire lease and business amounted to a process of attrition. Over a very long period different positions were adopted by the LDA, during which the owners of the lease and the business were often not able to tell whether the LDA intended to buy or not. This speaks vividly of what happens when there is an unequal power relationship between governments and small holders and how it can go wrong. This business made a small but significant contribution to the tourism activity in Canberra, but there is no evidence that the LDA either valued or took that into account.

For the Dobell boat fire and Burley Griffin boat hire businesses the situation was quite different. In some instances there appeared to have been a short process resulting in

good financial outcomes for the vendors in spite of the fact that in one case the vendor did not, in fact, hold a valid lease over the land in question.

A key element which affected all these transactions was the failure of the LDA to comply with a key piece of legislation: the land acquisition policy framework created in 2015. The framework gave the LDA a measurable autonomy in acquiring land for government purposes. In return, the LDA was obliged to satisfy a series of tests in relation to each acquisition and to seek the approval of the minister or cabinet where acquisition amounted to more than a certain value. In practice the LDA exercised the autonomy granted under the framework but did not ensure that the tests were satisfied for the acquisition.

Officers appearing before the committee argued in seeking to defend this practice that they had misconstrued the framework because they were relying on an interpretation document generated from within the LDA. But the committee was not able to discover by whom and when this interpretation document was generated.

This highlights the list of irregularities almost too long to mention, but I will give it a try: the absence of proper records; the absence of current valuations where a lease was purchased; poor advice on an understanding of the Lands Acquisition Act; clear evidence of significant miscommunication and even secrecy within the agency; potential conflicts of interest; insufficiently formal relationships between people in the public and private sector; rehiring of former officers as contractors to avoid staff caps; and provision of altered documents in response to a freedom of information request.

There really was a lot to consider in this report and in the time available I cannot speak in detail about all of the issues. But there is one overarching thing I will talk about. There may be a perception that these are all things of the past. The government has said that the LDA has gone, it has ceased to exist and we have a brave new world. Some of the functions have been taken up by a new agency, the Suburban Land Authority. It is easy to think that the issues which affected the LDA are no longer with us and that there is a new broom to sweep through. However, there are still problems because the LDA's actions were as much a symptom as they were a cause.

There is no doubt that land has a unique importance to the government in the ACT. It is one of the most significant sources of revenue outside GST revenue distributed by the commonwealth. At the same time, government in the ACT is responsible for leasing and selling land and setting the zoning and approving development. In this situation conflicts of interest are likely to arise.

The SLA is required to return a profit to government, as was its predecessor, the LDA. These agencies are in an ambiguous position where they are part of the public service but are required to act commercially. We know from other instances elsewhere that this can put government officials in dangerous territory and it involves risks to integrity.

We have canvassed many recommendations in this report and I will summarise them as briefly as I can. Two recommendations in the report relate to valuations and that

they need to be current. When acquiring land at least two valuations should be acquired. Proper assurances should be given that the valuations are properly acquired.

One of the problems the committee encountered was the irregular or inconsistent way that people in the government acted towards vendors, at times it was sometimes quite intimidatory. This was especially the case with Mr Spokes bicycle hire. The committee recommends that the government conduct all negotiations for acquisitions or any other contractual matter in a manner consistent with clause 3.1 of the model litigant guidelines and that the principles of these guidelines should be more generally promulgated.

Another important recommendation is that there should be a consistent approach to acquiring land and that, in a sense, some people should not be treated badly and adversely while other people seem to get a free run, as was the case in some of these acquisitions.

There is considerable discussion and a number of recommendations about the Land Acquisitions Act, and how the government should act in accordance with that act in a more transparent way.

The committee also made recommendations in relation to the doctoring of documents provided to Mr Coe under the Freedom of Information Act. The committee recommends that the government define and apply appropriate sanctions to staff who do not comply with legislatively defined processes for responding to requests under the Freedom of Information Act.

The committee recommends that the government clarify principles and constraints on the hire and retention of contractors so that government agencies will not rehire recent employees as contractors unless there is a very good and transparent reason.

The final recommendation is the most important: the committee has recommended that the matters canvassed in the report be considered by the soon-to-be commenced ACT Integrity Commission. We have done this because there is a clear remit for the Auditor-General in investigations into matters such as this, but it goes only so far. There are also limits on what the Standing Committee on Public Accounts can establish through its inquiries.

The committee is of the view that, given the complexity and the seriousness of the matters we oversaw and the contradictory evidence that we took, many questions remain unanswered. I hope that in future these can be traversed by the Integrity Commission. The committee has agreed that when the Integrity Commission commences next month the committee will write to the commission referring the matter to it.

I pay tribute to the members of the public accounts committee. This has been an extraordinarily difficult and complex inquiry. Mr Coe and Mr Pettersson got off lightly when they left the committee a little over a year ago. I thank in particular, Ms Cheyne, who became the deputy chair, and Ms Lawder who came on board in

September last year and also Ms Cody for the work they have done in a very collaborative way in an area which is quite politically sensitive.

This is a lengthy report; there is no dissent in the report. The report was crafted over a considerable period. The crafting of that is down almost exclusively to Dr Brian Lloyd who I think went through four or five iterations of this report before he and I got it to a place where we thought that it was good enough to bring to the committee. We had about three different approaches on how to structure the report.

This is the first of three reports from the Auditor-General that relate to land sales in the ACT. In the early months of 2020 there will be more on similar issues. In the meantime, I commend the report to the Assembly and again thank my colleagues and Dr Lloyd for the hard work that went into this report.

MR COE (Yerrabi—Leader of the Opposition) (3.50): This is a very significant report about the ACT government's lack of transparency and integrity regarding these very controversial land deals that took place a few years ago. There are many unanswered questions, and that is why I made the referral to the Auditor-General a few years ago. That is why the Auditor-General conducted her report. And that is why we now have the Standing Committee on Public Accounts bringing forward its report today.

I draw attention to recommendation 13, that is, that the committee recommends that the ACT Integrity Commission investigate the four acquisitions and any other matters raised in this report. A four-person committee made up of two Liberal MLAs and two Labor MLAs is recommending that deals done by the LDA when Chief Minister Andrew Barr was the responsible minister should be referred to the territory's ICAC.

This is extraordinarily significant. There are many unanswered questions. This is a scandal that is still unfolding, and I thank the public accounts committee for shedding even more light onto this very sorry matter.

MS CHEYNE (Ginninderra) (3.52): I will echo and underline some of the chair's comments. She noted that this has been an extraordinarily complex and lengthy inquiry; it was lengthy even for me and I was part of the inquiry for only half the time. Ms Lawder and I joined well after hearings had concluded. As members will see from the 180-page report, it is incredibly complex and there was a significant amount of detail to get across.

I put on the record my thanks particularly to the chair for dealing with the many questions we had to ask or be reminded of from evidence taken during the hearings. While we constructed and deliberated on this report there was patience on all sides. Again, I stress over and over how complex it was, and my thanks go especially to our committee's secretary, Brian Lloyd.

It is a unanimous report, including all of the recommendations, as Mr Coe pointed out. I note that this is the first report to refer an issue to the ACT Integrity Commission, which commences this weekend. The committee will be forwarding this report to the Integrity Commission in due course.

I stress that the final paragraph in the executive summary highlights one of the clear reasons why we have done this. There is complexity here; there are some questions that neither the committee nor the Auditor-General could answer. Equally, there were issues that went beyond the remit of the committee particularly in terms of matters on which it can adjudicate. They are best left to organisations or commissions which, if they decide to look into this, are more appropriately dealt with there.

It is very easy for topics which appear, at least on the face of it, to be highly political to grab lines here and there. I appreciate that a report of this length is probably a bit of a turn-off to people reading it in full. But I encourage people to read the report as a whole in order to understand the interconnectedness of the issues at play and to not look for headline grabs.

The issue is incredibly complex and the report is the result of very careful and considerate work. All members of the committee have put our party associations to the side and looked at it as freshly as we can and we worked collegiately and collaboratively in looking at the issues for what they are. I think that it is a high quality report. I stress that it is all too easy to simply look at the fact that it has been referred to the Integrity Commission and I strongly recommend reading it as a whole.

I again thank my colleagues for the manner in which they conducted themselves. This could have been something that was very difficult and that we perhaps still could have been deliberating on if we had approached it differently. My sincere thanks to Ms Cody and especially to my colleagues across the chamber and Dr Lloyd who has probably one of the hardest committee jobs at times. I commend the report to the chamber.

Question resolved in the affirmative.

Justice and Community Safety—Standing Committee

Statement by chair

MRS JONES (Murrumbidgee) (3.57): Pursuant to standing order 246A, I wish to make a statement on behalf of the Standing Committee on Justice and Community Safety. Pursuant to standing order 216, I advise the Assembly that the standing committee has resolved to hold an inquiry in the form of an evaluation of the role and performance of ACT Policing.

The committee will focus its overall evaluation on the unique role ACT Policing has in Australia, that is, as a police force which is organised and structured around the commonwealth-territory agreement to provide policing services to the ACT, reached 30 years ago at self-government.

The committee expects an emphasis in the inquiry will be on the history of the ACT community's experience, including the experience of the ACT's various policing ministers since 1989, with the ACT model of policing, and the development of the current agreement-based administration and funding of ACT Policing. This emphasis will, the committee expects, also focus on considerations relevant to the future of ACT Policing arrangements.

A further emphasis of the evaluation will broadly be the effectiveness of current accountability and police-community relationships. The terms of reference for this inquiry will be published on the committee website. The committee will invite submissions on its inquiry, with a view to conducting hearings in 2020, with the committee to report by August 2020.

The terms of reference are:

Evaluation of current ACT Policing arrangements, having regard to the unique collaborative arrangement for policing in the ACT that currently operates in the ACT, and the importance of strong and recognised relations between ACT Policing and the Canberra community. The committee resolves to conduct an inquiry and review all current arrangements and practices, including the following:

The terms and history of the current arrangements dated June 2017 (the 2017 policing arrangement between the Minister for Justice (Commonwealth) and the ACT Minister for Police and Emergency Services.

- (1) The reasons and rationale for the current model and operational business plans for ACT Policing;
- (2) The adequacy and reliability of the purchase agreement between the ACT Government and the Commonwealth Government;
- (3) The scope and detail of current and future proposed services, obligations and support from both the Commonwealth and the ACT which provide for the implementation and operations of ACT Policing;
- (4) The opportunities provided for the provision of policing services to the ACT under the benefits for both jurisdictions, including:
 - (a) The opportunities provided under the 2017 policing arrangements for the AFP workforce to access community policing, training and experience;
 - (b) The access to current policing services provided under the 2017 policing arrangement, including the degree of independence in provision of implementation of policing services in the ACT;
 - (c) The resources and infrastructure, including training, selection, organisation, community involvement and factors relevant to provision and growth of policing services which are governed by the 2017 arrangement available to an independent ACT Policing service; and
 - (d) The current accountability mechanisms established and utilised under the 2017 policing arrangement, including applicable current reporting requirements on exercise of ministerial control and direction, the Australian government's current governance arrangements for the AFP, security and report of ACT Policing by the ACT Ombudsman, audit of ACT Policing by the ACT and Australian auditors-general, and oversight of the ACT Policing and AFP by the Australian Commission for Law Enforcement and Integrity.

- (5) Any specific matters which may require extension of the terms of the 2017 policing agreement or the Commonwealth legislative instruments, and potentially effect better policing outcomes for a greater focus on service delivery;
- (6) Other matters which are relevant to this inquiry; and
- (7) The committee is to report by the last sitting day in August 2020.

Executive business—precedence

Ordered that executive business be called on.

Revenue Legislation Amendment Bill 2019 (No 2)

Debate resumed from 24 October 2019, on motion by **Mr Barr**:

That this bill be agreed to in principle.

MS LE COUTEUR (Murrumbidgee) (4.03): The Greens will be supporting this bill. The bill makes a large number of changes to the ACT's key tax laws. These are, by and large, minor and technical in nature, and will either fix errors or help the public service to do their job more effectively. The Greens regularly support technical changes to legislation that aid the work of the public service where the changes do not conflict with our social, environmental and economic justice principles. That is the case with this bill. Therefore rather than addressing each change individually, I will make an overarching point about tax administration.

Tax administration needs to be done sensitively, while always being aware that some taxpayers are in genuine financial hardship or are in a difficult situation because of a genuine mistake. These people need to be treated with care. This is a topic that members may recall I have spoken on at length on several occasions, and indeed I moved a motion on it at around this time last year. However, I think that it is worth expanding on, because it is a critical issue that I do not think has always been well managed in the ACT.

Most people pay their tax, maybe not with joy, but willingly because they know that taxation pays for the services they need and for a fair society. However, there will always be some people who do not pay their tax. Broadly, these people will be in three categories: firstly, those who are deliberately avoiding tax; secondly, those who make a mistake because they were confused, they received bad advice or they did not know what was going on et cetera; and, thirdly, those who are suffering financial hardship.

People who are avoiding tax do not get much sympathy from the Greens. By not paying their tax, they are letting down the rest of society. They are increasing the burden on the rest of us, and I am happy for the revenue office to crack down hard on them.

I want to focus on the other two categories: people who get a tax debt because of either hardship or mistake. Frankly, with the size of back tax debt I have seen some people end up with because of a mistake or bad tax advice, there is sometimes not much difference between the two categories. Bad advice 10 years back can push someone into significant hardship when it comes to light.

People in these situations are not deliberately trying to rip off the government. Instead they have found themselves in a difficult situation and they need a way out of it. They need a different approach from tax avoiders and they need to be dealt with sensitively and carefully.

I have heard from quite a few people in this situation over the past three years and I am not convinced that the revenue office has always been getting this one right. That is one of the reasons why I put up a hardship motion in November last year, which sought to change the revenue office's practices and their approach when working with people in hardship.

An important example of where an approach needs to be considered carefully is the size of the penalty tax and interest charged. Yes, penalties and interest do need to apply so that potential tax avoiders have no financial incentive to cheat on their tax. However, we are ending up with people in hardship and people who have made a mistake facing penalties and interest bills far larger than the outstanding tax to be paid. This moves people from a situation where they can gradually pay off their back taxes to a situation where—and I am aware of some instances—they lose their home. The revenue office has discretion here, and I am not sure that they are using it often enough. A sensitive approach starts with communication with taxpayers and people who provide advice to taxpayers. That is why my motion last year covered redesigning the rates notice and writing to concession ratepayers to make sure that they are aware of the support available to them.

In the context of this bill, the issue is how the government communicates with people when tax laws change. I have been contacted several times by people who ended up with a large tax debt because they thought they were doing the right thing, but they were not. In one case my office spoke to someone whose rental arrangements were exempt from land tax several decades ago when he started renting out part of his property, but legislation changes over time had changed that, and he had not realised it. How would he have known about it?

In that regard I would like to draw members' attention to page 3 of the explanatory statement where it says, in relation to one of the changes, that "information about these amendments will be available on the ACT Revenue Office website". I hope that the revenue office's communications regarding the changes in this bill will go beyond putting information on the revenue office's website. The website is useful, but that is a bare minimum. I would urge the government to at least advise tax advisers, who can then alert their clients.

In conclusion, I urge the government to not only be efficient at collecting tax and administering the tax system, but also to keep the messy realities of life constantly in

mind. Some people will fall into hardship through no fault of their own. Some people will not check the revenue office website as often as they should to keep an eye on whether they are paying the right amount of tax. The question as to how often you should is an interesting one. Some people will get poor advice from financial professionals. Tax absolutely needs to be collected, but everything the revenue office does also needs to be done with care and sympathy.

MR COE (Yerrabi—Leader of the Opposition) (4.09): The Canberra Liberals will be supporting this bill, and I thank Ms Le Couteur for taking the call earlier. The most significant change made by this bill is the attempt to fix the issues created when the land tax was extended to vacant properties. The Canberra Liberals voted against this change. Since then the unintended consequences we expressed concerns about have come to pass.

According to the Chief Minister's own tabling speech, more than 400 waivers and act of grace payments have been granted, totalling around \$270,000. It has taken more than 18 months for this problem to be rectified and we are looking at around 20 waivers or act of grace payments a month.

This has affected many Canberrans. The Canberra Liberals have gone in to bat for people who have been affected by this issue, people who have gone through the objections process, pointed out that they should not have been charged and were still refused a waiver. On top of the costs of a new property, on top of the stress of moving, people have had the added pressure of trying to find the money to pay a tax that they should not have been charged for. It really was a gouge; it brought a lot of stress to a lot of people, and the government really should be apologising. We are glad that this will finally be addressed today. However, we believe that it should have been a higher priority for the government, and it should have occurred earlier.

Many of the other changes in this bill are minor or technical in nature, including extending existing powers to other schemes that were inadvertently overlooked in previous bills, and allowing other powers to be exercised through determinations.

I would like to note that changes made to definitions through legislation last year will now revert to what they were previously, that is, the legislation that the Chief Minister put forward last year is now pretty much being repealed. They got it wrong. I am pleased that they at least admit it. The government should be careful when proposing definitional changes, because when definitions change in tax law, it can have unintended consequences, and that is exactly what happened here. The only difference is that the Canberra Liberals pointed it out.

People have a civic responsibility to pay their taxes, but the ACT government should not make it harder for people to understand what their tax obligations are. There should not be any hint of entrapment when it comes to the taxation system in the territory. Tax law is already complex enough. We need to ensure that all the definitions are simple, consistent and easy to understand. Canberrans should not need to spend hours combing through legislation or reading case law to figure out whether they have a land tax liability or not. This is wrong. Tax policy should be able to be

expressed in simple terms, and the policy should be plainly and clearly articulated in the legislation and in all government documentation.

I believe that there are some good things in this bill, like the compassionate case exemption for land tax. We should be treating those who have lost a loved one and the vulnerable in our society with respect, understanding and compassion. Everybody deserves this. The two-year exemption brings land tax into line with other exemptions for similar circumstances. There is also the power for the commissioner to accept lesser amounts in garnishee action, and allow a flexibility in payments. I hope that the ACT government will be exercising compassion in these circumstances as well.

I believe that there is more that we can be doing to offer support to Canberrans when they need it and to allow greater flexibility for people trying to meet their tax obligations. Canberra is an expensive place to live and work, and we should be doing everything we can to relieve that burden.

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (4.13), in reply: I thank the Greens party and the Liberal Party for their support of this legislation. I will not go over all elements of the bill, as I did so in my introductory remarks.

I will observe a couple of important changes, some of which have been touched on by previous speakers, firstly, around the provision for the Commissioner of ACT Revenue to exempt land tax in compassionate cases for a period of up to two years. This reduces the administration burden in these circumstances. Further, the extending of objection rights for an internal review of interest on unpaid land rent will ensure that people paying land rent will have the same review rights as other taxpayers. Removing public notification of payroll tax grouping exclusions brings the ACT into line with other jurisdictions and supports a harmonised approach.

The bill also provides the revenue office with greater flexibility in the recovery of tax debts, as has been touched on. The commissioner will no longer be required by law to take all of the money available from a particular source, and can now better tailor a garnishee action to respond to an individual's situation. The other amendments contained in the legislation assist to improve consistency in tax laws and support tax administration for duty deferral arrangements and land rent payments.

In summary, the bill makes adjustments that update and improve upon the territory's revenue system, which is an important endeavour for tax reform. I thank members for their support and 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.

Education Amendment Bill 2017

Debate resumed from 26 October 2017, on motion by **Ms Berry**:

That this bill be agreed to in principle.

MR WALL (Brindabella) (4.15): I rise to speak on this bill in the absence of Ms Lee today, but it is fitting because as the shadow minister for education I moved that debate on this bill be adjourned some two-plus years ago. The bill was introduced in October 2017 and was designed to produce three major objectives: firstly, to restrict the eligibility of ACT home education registration to those who live in the ACT; and, secondly, to provide for further restrictions and qualifications to be required through regulations. These are abundantly fine, and although the devil is in the detail the opposition will support the amendments that have been circulated by the minister.

The third major goal of the bill is to do away with provisional registration. Under the act the fundamental is that the grant of provisional registration is non-discretionary. Further, whether it is due to a flaw in the drafting or not, there is the possibility of a child being perpetually re-registered for provisional home education without any oversight from the Education Directorate. This clearly is not a sound policy provision and may be open to being misused.

We admit that the possibility of a child's registration being in some kind of recursive loop is problematic. This is far from unsolvable and in our opinion could have been dealt with other than by the complete abolition of this provision. The government has, however, chosen to abolish provisional home registration in its entirety. Regardless, throughout our consultation on this bill home educators have repeatedly raised this change as a major concern.

They are concerned that considering the limited consultation they had prior to the presentation of the bill in 2017 the government was, whether on purpose or not, making it harder for parents to act in the best interests of their children when considering home education at short notice.

Although the government insists that the decision to remove a child from school and into home education is not a snap decision, we have heard stories of at least one mother who felt it necessary to withdraw her child overnight from an ACT school and that provisional registration allowed her to do so in a lawful fashion. What followed was a period of three months in which this parent could prepare an education plan and then proceed to apply for full registration.

What also became clear was that the government had not nearly done enough to gain the trust of home educators in the ACT. We can all understand the concern of parents. It is important to recognise that many parents choose home education for their children as the best option for education. However, some are driven to it as an option of last resort, and this comes from a failure of the education system to cater for their children's needs.

The bill in its original form would not only have put every application at the mercy of the director-general's discretion but it also had an uncertain time frame in which their application could be granted. We all know for how long bureaucratic time frames tend to blow out. The idea of introducing discretion to grant registration would, in their minds, allow an opportunity for the government to wilfully and capriciously deny home educators the chance to remove their child from school or drag out the time it takes to register.

It has taken almost two years and significant consultation with the community for the government to reach even this point in the legislative process. In this chamber we all understand the rules of administrative decision-making and that the government is bound by them and that a truly capricious decision is cause for appeal. But it begs the question as to why so many parents are concerned they will be the victim of such poor decisions that they may be forced to appeal. Of course, if they are required to do so, the time, resources and money it takes to undertake that process, in itself, is not an ideal outcome.

What was once a very short and simple bill has had a number of amendments made to it as a direct result of the opposition's advocacy after consulting at length with the home education community. Although the government has been unwilling to move on the idea of abolishing provisional registration, there have been some advancements in a manner which we believe has brought us to a middle ground.

The government has introduced a time frame within which the decision to grant home education registration must be made and that the director-general must agree to the registration if satisfied that the terms of registration will be satisfied. This is good as it provides parents with certainty.

The application up until the closure of the 28-day window is intended to qualify as a reasonable excuse for a child not attending school. However, after the opposition's consultation with the home education community, the Canberra Liberals have chosen to move an amendment to clarify this provision. That will be moved in the detail stage.

We are disappointed that the government identified a significant flaw in the home education system, alerted the chamber and the Canberra community to the issue in the form of a poorly consulted-on piece of legislation and then allowed the issue to go on unremedied for over two years. This not only exposed the flaw to the public but also exposed home educators to a prolonged and highly stressful period of indecision.

Given the amendments being brought by the government to their own bill and after much consultation with home educators the Canberra Liberals will be supporting the amended bill, but we will also move some minor amendments of our own. We accept that it is not desirable for children to be withdrawn from school into unsafe home education situations without some form of directorate oversight, and that is a safeguard we believe is adequate. Putting this uncertainty to bed after two years is long-overdue closure.

Finally, I outline our understanding of the registration process which will be enacted by this bill and clarify that this is the precondition to the Canberra Liberals' support. Should a parent need to withdraw their child from a school at short notice due to, say, severe bullying or violence or another issue, a parent must complete an application form for home education and submit it to the Director-General of Education. This application must contain the information set out in the regulations attached at schedule 1. This includes information about the child's name, the parents' names and proof of parental responsibility as well as the address where the child will be educated.

The directorate then has 28 days in which they must make a decision. If the director-general is satisfied, on the paperwork supplied, that the conditions of registration will be complied with, the registration must be granted. During this 28-day window, the child will have a reasonable excuse for not attending school.

The opposition's amendment to this bill to be discussed in the detail stage further clarifies and makes it abundantly clear that while an application is being assessed and considered by the directorate neither a student nor their parents will be at fault under any compulsory attendance provisions of the Education Act.

Should the application be granted, the child will be registered for home education, but this registration is conditional upon providing the directorate a full plan for the child's home education within the first three months of the registration period. There has been some confusion about this registration: is full registration or not? We have likened it to a drivers licence where you have a full license with conditions upon it. That is not to say, however, that a licence itself is not granted in its entirety. This is an inelegant and curious route, but it appears to be a solution that is acceptable to the major stakeholders, the government, and the opposition.

The Canberra Liberals will be supporting the amendment bill and will continue to keep an eye on the application of the new system and structure to ensure that home educators and the children at the centre of this do not suffer or, worse, that children are prevented from accessing home education if their schools fail to accommodate their educational needs. I commend the bill.

MR RATTENBURY (Kurrajong) (4.24): The ACT Greens will be supporting this bill as well as the subsequent amendments. For those of us who have been involved with this bill since it was first tabled in the Assembly it is very positive to see it finally debated and brought forward with a strong degree of support by those who have taken an interest in it.

I acknowledge the more recent engagements my office has had with Minister Berry's staff and their willingness to look at some of the issues that have been identified with the original bill. I appreciate the considerable efforts of her office and the minister herself over the past few months in seeking to find a way forward. Likewise, my staff have also had positive and productive discussions with Ms Lee's office, which has also been appreciated.

The changes to the Education Act relate specifically to the provision of home education. These changes have been consulted on with a wide range of home educators in recent times, primarily parents who are currently educating their children in their own homes. This is not a homogenous group of people; these parents and carers are as reflective of the general community as are parents of children attending our local schools.

There are many reasons for people making the decision to educate their children at home, or outside of school-based environments. For the vast majority of them, the best interests of their children is the essential commonality. Certainly in the conversations I have had with home educators that shines through very strongly, that is, a passion for getting the best outcome for their children and meeting the specific needs of their children and also ensuring a high quality and interesting education.

Today's debate is not, in fact, about the why of home education but rather the how. The government is seeking to clarify the pre-conditions for registration for home education and strengthening the legislation requirements for that registration. However, through recent genuine consultation with local parents and their supporters in the home education community the government has improved on this to also enhance the transparency of the Education Directorate's processes and allow for greater certainty for current and future home educators.

These are good outcomes because whilst compared to the number of students in the government system the number being home educated is relatively small it is an important part of our education spectrum. Therefore, it is essential that we get this right, that we have clear processes and certainty and that we give those parents who choose to educate their children at home confidence that they have a fair and obvious system to work in, that their line of communication with the directorate is clear and that expectations are clear. In its current form this bill has gone a long way to actually addressing some of those considerations we would expect to have in this system.

The Greens are supportive of this final set of amendments, and I take this opportunity to thank the home education community for their patience, their persistence and their willingness to constructively engage in the at times complicated task of amending legislation. It is often joked in this place that making legislation in these parliamentary processes is like seeing sausages made and most people do not want to know how that happens. These parents have played a really constructive role. They have certainly taught me and my office some things about home education that we did not know. They have made a very significant contribution in helping this legislation be what it is today, and I thank them for that contribution.

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) (4.28), in reply: I table a revised explanatory statement to the bill. Members, I welcome debate on the Education Amendment Bill 2017 and I welcome the government amendments that I will move at the detail stage. Through the bill and the government amendments, the government will strengthen the

regulatory framework for home education of children. The bill strikes a careful balance between the right of a parent to choose home education for their children and the responsibility of the government, on behalf of the community, to look out for the rights and wellbeing of children and young people.

While there are relatively few children in the ACT whose parents have chosen to home educate—a little over 300—it is, regardless, important that there is a robust framework in place to make sure that these children receive a high-quality education. The ACT community has a justifiable interest in ensuring that parental decisions about child education still result in a minimum education standard. There is also an obligation on the government to consider how it looks out for the wellbeing of children removed from the protective view of their key point of community contact outside the home, being a school.

As was intended when it was presented, the regulatory framework to be established by the bill is detailed through regulations. Over the time leading to debate, the government has engaged in extensive consultation about procedural elements of home education registration and has developed regulations for this purpose. Following the in-principle debate, I will move amendments that will insert the regulations as a schedule to the bill. The government is doing this to ensure that its intended approach is clear before the Assembly considers whether to agree to the bill.

The government amendments detail the single-step process for registering a child for home education. Registration will be granted on application after the parents of a child seeking registration for home education provide basic information such as that necessary to establish a child's identity and parental responsibility. The director-general must decide on an application within 28 days of receipt of a complete application.

By way of a condition on registration, the parents of a child registered for home education must, within three months of registration, supply further detailed information about how they will provide a high-quality education and meet the learning needs of the child, and meet with a government official to discuss the home education of a child. If these conditions are not met, the government may initiate regulatory action that may ultimately lead to cancellation of the registration. Following second and subsequent periods of registration, parents must meet these two requirements within 10 school days.

Consultation with stakeholders highlighted that a key concern is the amount of time required for parents to prepare and provide education materials and a statement of intent to the director-general. With the removal of provisional registration, a six-month period, parents raised concerns that they would not have sufficient time at registration to develop their education statement of intent detailing how they would educate their child and meet the conditions of registration. The bill would particularly affect parents who made the choice to home educate their child on short notice due to wellbeing or educational concerns.

The government amendments provide a three-month period for parents with new registrations to learn how to teach their child, collect materials and programs, and

produce their statement of intent before these materials must be provided to the director-general. It is also a time for parents to learn themselves how to teach their children.

This period is intended to operate like a shortened provisional period for parents of new registrations. It effectively creates a grace period of three months to allow parents to establish their approach to home education before meeting with an authorised person and providing their written statement of intent as outlined in the regulations. It also recognises that parents may have an evolving plan as they learn how to best educate their child, particularly where the child has complex needs.

Across Australia there is a variety of legislative solutions and time frames for resolving this issue, all of which are more onerous than proposed by the ACT government. New South Wales, for instance, requires a plan aligned with the Australian curriculum to be submitted on application but allows 90 days for it to be assessed. Queensland does not require an education plan at application, but it must be submitted within 60 days.

In taking this approach, the government is also acknowledging feedback that for some children with health or wellbeing needs, this early stage of home education might be focused on settling and preparing to re-engage in learning. The directorate will engage and support these parents as much as required and requested during this initial period to produce an education plan in the best interests of that individual child.

Perhaps there are other ways to achieve a middle ground on provisional registration. The government certainly examined other options such as discretionary provisional registration, reducing the overall time of provisional registration or adding conditions to provisional registration. These options all result in a framework that is no less complex or involves duplication of effort for both parents and the directorate, and were discounted.

The government's amendments, through the regulations, also make clear the expectations on parents for their educational plan. The government and the community have an interest in ensuring that the education of children is appropriate and still results in minimum educational standards.

I acknowledge that parents are passionate, committed and provide excellent educational opportunities to their children. Parents do have a right to choose home education for their child. The government supports this choice and the bill also does nothing to undermine flexibility available to home educators in their approach to home education. Again, the bill is modest in this regard when compared to other jurisdictions where, for example, parents must align their educational plan to the Australian curriculum or legislated learning areas.

Two other important changes in the government's amendments arising from feedback during consultation are a new requirement on the director-general to make a decision on an application for home education registration within 28 days and the clarification that the director-general has no discretion outside of the legislated framework to refuse an application. While it is important that home education registration still

involves an active consideration of an application and discretion about whether the conditions of registration will be complied with, the government is providing reassurance, through the government amendments, that these are the only matters that are relevant.

The government has taken the opportunity through the bill and government amendments to allow the director-general to make guidelines for home education. During consultation, some parents raised that they felt unsure about the Education Directorate's expectations of them related to things like home education reports or how to document their education approach. I also saw it as useful that greater clarity and certainty of expectations about the home base for home education, for example, be available. Guidelines issued by the director-general are a convenient way to support home education parents in this area, and the director-general has already begun developing them.

In concluding the in-principle debate on the bill, I would like to acknowledge the commitment and dedication of parents who home educate. Their investment and sacrifice in doing what they consider is right for their child's learning and development should never be underestimated. I also extend my thanks to the representative associations and parents that provided detailed and useful feedback on the bill, regulation and draft government amendments.

The government amendments I will shortly move are the result of extensive consultation with community stakeholders. The number of parents who home educate is relatively small but among them there are quite broad views and a desire that they be heard individually.

I acknowledge the really positive engagement between my office and the offices of Mr Rattenbury and Ms Lee in bring parent views together. I would like to thank those members and their staff for their constructive approach to working with my office to reach an agreed position on the bill that accommodates the concerns of the community and still results in a robust framework. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MS 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) (4.38): Pursuant to standing order 182A(b), I seek leave to move amendment No 11 as it is minor and technical in nature and to move amendments Nos 1 to 15 circulated in my name together.

Leave granted.

MS BERRY: I move amendments Nos 1 to 15 circulated in my name together [*see schedule 1 at page 4828*]. I table a supplementary explanatory statement to the amendments.

The government amendments make some relatively minor changes to the bill. Amendments 1 to 3 of the government amendments to the bill address technical drafting and machinery matters. Amendment 5 inserts definitions for the terms “home education report” and “new registration”, which are adopted for simplicity of drafting.

Amendment 6 inserts a note that draws attention to decisions about home education registration that are reviewable. Some stakeholders raised that this would assist them when reading the act. Amendments 7 and 13 omit the definition of “home education” from chapter 5 and relocate it to the dictionary to the act. Amendment 14 inserts signpost definitions for the terms “home education report” and “new registration” into the dictionary.

The government amendments also set out in detail the regulatory framework for home education. Key is amendment 15, which inserts into the bill amendments to the Education Regulation 2005. The regulations will detail the process for home education registration and particularise requirements related to the home education register and home education reports.

As I described during the in-principle debate, supported by other government amendments, the regulations will set out a single-step registration process but provide a three-month grace period for the first consecutive instance where a child is registered for home education, referred to as a “new registration”. For a new registration, parents do not need to demonstrate compliance with conditions of the registration related to providing a high-quality education and meeting the learning needs of the child. It is also appropriate, given the relatively substantial detail required in drafting, that the framework rests in regulations rather than the principal legislation.

Amendment 8 makes clear that the director-general does not have discretion to refuse to register a child for home education if satisfied that the conditions for registration will be complied with. It achieves this by replacing the word “may” in current section 131(3) with the word “must”. It is a small but important change to give confidence to the home educating community that the government cannot arbitrarily prevent parents from choosing home education, but rather can only do so based on legislated conditions.

Amendment 11 mirrors amendment 8 in clarifying that the director-general has limited discretion when deciding on an application, in this case, for renewal of a home education registration.

Amendment 9 supports the single-step registration process by allowing the government to inspect programs, materials and other records for use in the child’s home education, except in the case of a new registration, where parents may not yet have developed these items.

Importantly, amendment 9 also requires the director-general to make a decision on an application for home education registration, one way or the other, within 28 days of receiving a completed application that includes all of the particulars required by the Education Act and the regulations. This amendment is being made in response to feedback during consultation to provide parents with confidence that applications will not be ignored or unreasonably delayed. Appropriately, the recourse available to parents should the director-general not comply with this requirement is through administrative law.

Amendment 10 expands on the conditions of registration for home education included in the bill by inserting conditions requiring the parents of a child registered for home education to submit a home education report, and the home base for a child's education to be suitable for the education of the child.

The requirement to submit a home education report is already included in the Education Act, in section 138. By inserting this requirement as a condition of registration, the government will be better equipped to monitor the quality of home education of a child because, as a condition, a failure to submit a report will allow the director-general to cancel a home education registration.

During consultation one stakeholder—Mr Rattenbury, on behalf of the Greens—raised concerns that the current act and bill overlook the need to set a minimum standard for the home base for home education of a child. After a number of iterations, the government amendments settle on a relatively general condition about the suitability of a home base. The government intends to prepare guidelines that will assist parents to understand the government's expectations in applying this condition, particularly in more novel circumstances such as when a family is on extended travel and moving from place to place.

Amendment 10 also supports the grace period for new registrations by delaying for three months any requirement for parents to comply with conditions of registration relating to providing a high-quality education and meeting the learning needs of the child.

Amendment 12 clarifies the obligations of parents in the submission of a home education report to the director-general. Parents must submit a home education report by a deadline once every year, and reports must comply with any prescribed requirement.

Amendment 4 inserts a new provision under which the director-general may make guidelines. The government intends that guidelines for home education issued by the director-general will assist home educating parents to have greater certainty and clarity about the government's expectations of them.

In summary, the government's amendments establish a framework that strikes a balance between the right of parents to choose home education for their children and the responsibility of the government, on behalf of the community, to look out for the wellbeing of children. I welcome the Assembly's support of the government amendments.

MR WALL (Brindabella) (4.45): I seek leave to move amendment No 1 circulated in Ms Lee's name.

Leave granted.

MR WALL: I move Ms Lee's amendment No 1 to Ms Berry's amendment No 9 [*see schedule 2 at page 4836*].

This amendment to the bill is relatively self-explanatory. It makes it clear that, during the period between receiving the application for home education registration until a decision is made by the director-general and that decision is communicated to the parents, children and parents will be exempted from any penalties for not attending school. This amendment clarifies and makes abundantly clear a significant concern within the community that the bill as drafted may restrict the options of parents to have their child removed from their existing educational setting at short notice.

Ms Lee's office has had discussions with the minister's office and Mr Rattenbury's office on this matter. We have had this amendment drafted to ensure that we bring the home education community along with us on what are some significant changes to the legislation they operate under and also remove any ambiguity in the interpretation and application of this new provision in the legislation.

Before I conclude my remarks, on behalf of Ms Lee and her office, and on behalf of my office and me, when I had the portfolio back in 2017, may I convey my thanks to both those who have turned up in the gallery today to see the passage of this legislation and the many more in the community who have played a significant role in making sure that this legislation arrived at the best possible solution for those who choose home education as an option for their children. With that, I commend my amendment to the Assembly.

MR RATTENBURY (Kurrajong) (4.47): The Greens will be supporting the amendment moved by Mr Wall today. We believe that proposed new subsection (6) makes it crystal clear that students and parents do not fall foul of the Education Act's compulsory engagement with education while awaiting a response from the directorate. New clause 131(7) places a positive burden on the director-general to make a decision to accept or reject an application within 28 days of receipt. We are happy to support both of these items.

While I am on my feet, I think it was implicit in my earlier comments, but I also indicate our support for the range of amendments that have been moved by Ms Berry.

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) (4.48): The government will support Ms Lee's amendment to government amendment No 9.

The Education Act establishes a compulsory education requirement that puts an onus on parents to make sure that their children are enrolled in, attend and participate in school education or are registered for home education. During consultation parents raised concerns that they could be open to prosecution if they remove their children from school education while waiting for a decision on an application for home education.

After receiving this concern, the government sought and received advice indicating that the existing provisions of the act that create offences related to compulsory education already provide parents with protection from prosecution under these circumstances. The relevant offences do not apply where a child's parents have a reasonable excuse. This term is broadly framed.

The time period and process required to reach the point of an offence being committed are also unlikely to be met before the end of the 28 days within which the director-general is required to decide on an application for home education. However, Ms Lee's amendment provides express clarity on this point and the government will support that amendment.

Mr Wall's amendment No 1 to **Ms Berry's** amendment No 9 agreed to.

Ms Berry's amendments Nos 1 to 15, as amended, agreed to.

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

Bill, as amended, agreed to.

Building and Construction Legislation Amendment Bill 2019

Debate resumed from 24 October 2019, on motion by **Mr Ramsay**:

That this bill be agreed to in principle.

MR PARTON: (Brindabella) (4.51): Building quality is an important issue in the ACT, as it is right around the country. Getting to the root of the problems that have surfaced in this space is a very big job, and I acknowledge that Mr Ramsay and his team in various directorates have done a lot of great work. This should be tripartisan policy because it is so important for us to improve building quality and to restore confidence to consumers. This bill has within it a lot of positive changes that will lead us in that direction. I can report that there is much in this bill that everyone in this chamber will agree on totally. But there are some other parts that we think are flawed or potentially flawed, and we are not the only ones.

During the whirlwind inquiry into this bill, conducted by the economic development and tourism committee, we heard some major concerns about it from industry. We certainly heard of some major legal concerns. This bill effectively changes company law. I know that it would be easy for Mr Ramsay, if he were here, and it will be easy for Mr Gentleman to just take a cheap political shot. In fact, I have already heard

Mr Ramsay say that the only people who do not seem to be happy with this bill are developers and the Canberra Liberals.

Is that really the point we have arrived at? Is this really going to become like, dare I say it, any legislation around climate change in that the way that that works these days is that anyone who dares to question any detail of any climate change legislation is instantly branded as a climate change denier.

Where we have arrived in this space is that according to the government anybody who dares to question this hurriedly prepared legislation will be branded by Mr Ramsay and Mr Gentleman as a building quality denier. It disappoints me that Mr Ramsay is not here to debate this bill. I understand that he is flying to Adelaide for a dinner tonight ahead of an attorneys-general get-together. With the first official meeting of the attorneys-general get-together being at 8.30 tomorrow morning and with this bill being so important in this space I would have expected the minister to be here. I note there are eight flights still to fly to Adelaide after 5 o'clock tonight.

I question if this debate is going to roll on this way, that if anyone dares to question any aspect of this bill then they are dismissed either as dodgy developers or dodgy developers' mates. I would say specifically to Minister Ramsay that I thought that he was better than that. This is a vastly important and extremely complex policy area and we have to get this right.

When you have drafted a war-and-peace-style amendment bill—most of which is great but which has dozens of moving parts—without any consultation with industry—none—and when you have just knuckled down and done it without speaking to those who ultimately must fix the problem, it is no surprise that you are likely to get some of it wrong.

There are some mistakes, there are some flaws. I intend to call for this debate to be adjourned because we cannot possibly properly debate this bill in the way a parliament would be expected to debate it. We have not had the time to properly examine it.

The bill was referred to committee for inquiry at the last sitting. The committee did not have sufficient time to properly inquire into the bill: no time for hearings, just blast out a call for submissions, read them as quickly as you can and then report. Some of those who provided submissions made the point that they did not have time to respond properly to the entire bill so they chose to focus on some small aspects of it.

We in the Canberra Liberals respected that committee process; we did not pre-empt the findings of that committee inquiry. We allowed it to run its course and it seemed inappropriate for us to draft amendments while the inquiry was in motion. The committee report raises enormous concerns with some aspects of the bill. The committee report was tabled only on Tuesday. The government response was tabled this morning, like five hours ago. Five hours ago was the public tabling of the government's response.

There is an expectation that opposition and crossbench members as well as important stakeholders could digest this government response in four hours and respond to it in the form of complex debate this afternoon. I for one think that that is absolutely ludicrous. This is not good governance. This is not the way that a good parliament is supposed to operate.

If no-one was going to give anything more than a cursory glance to the committee report, if it was just a ticking-of-the-box exercise, if we had less than five hours to read the government response, what was the point of even going through the process?

I remind members that this is a unicameral parliament and, as such, the committee system is supposed to provide the cross-check mechanism that the upper house provides in most other parliaments in this country. This makes an absolute mockery of the committee process and the concept of good governance. If this is the way that the government is going to operate I do not even know why we bother to turn up in the chamber.

As to the government response, some of which pertains to some exceptionally complex legal argument, recommendation 2 from the committee is that the Minister for Building Quality Improvement provide additional information to the Assembly on the interaction between the bill and commonwealth legislative instruments referred to by submitters, including the personal liability for corporate fault reform. It goes on, but that is recommendation 2.

I do not hold a law degree. In the four or five hours since we have had that response we have sought advice and others have sought advice. We do not believe that the government's response to recommendation 2 stacks up. This government has always had some difficulty understanding the implications of section 109 of the constitution. There are three ways in which a law can fall foul of this provision, and yet the government has addressed only one of them in their response to the committee recommendations. But given the way things work here I am sure we will just say, "No, that's a tick. That's been responded to. You've got the numbers and so we'll just blast away."

The minister has outlined why the government is of the opinion that the commonwealth corporations law does not cover the field. There is still a risk. Indeed, even in the small sample of the commonwealth law that the minister has shared, there is still an acknowledgement that there could be inconsistencies from states or territories. This continues to be a concern for the Canberra Liberals and it continues to be a concern for many in the community.

I reiterate that when you rush through things in this place you end up with mistakes. It is not good enough that a bill that was tabled in late October had to undergo such a rushed committee inquiry in which we were unable to have hearings due to the short time frames. The minister seeks to convince us all that there has been adequate and unquestionable research to the compatibility of these changes with the Commonwealth Corporations Act, which is pretty complex stuff, and he cannot be bothered to even attend the debate because he is having dinner in Adelaide.

I am astounded. I say to the minister and to Minister Gentleman: do not dare go down the path of simplistically suggesting that this is the Canberra Liberals ignoring the problems and siding with developers. That is not the case, and ministers Ramsay and Gentleman know that that is not the case. The Greens know full well that it is not the case. The Greens are fully aware of the lack of what could be considered correct process on this. But they are frightened of the optics of suggesting that anything is wrong with this bill because they might be accused of being building quality deniers.

This is a sad day. This is too important to get wrong and the fact that we are just going to ram this through because we are worried about what other people might think if we examine it properly is shameful. I am dismayed. Minister Ramsay in his frequent attacks on me suggests that I reduce everything down to lowest common denominator, simplistic arguments in all of my commentary about government policy. The minister is doing exactly what he accuses me of doing all the time.

My office has hurriedly drafted some amendments to deal with the most obvious flaws to this bill, but we certainly have not had sufficient time to get those amendments properly drafted and go through scrutiny, so we will deal with those a little bit later. I know that those amendments, as utterly reasonable as they are, have Buckley's chance of getting up because of the political landscape I have already outlined.

The Greens will not support them, not because they do not think they are a good idea but because they do not wish to be seen to be doing anything that might be fair to those evil developers. Labor will not support them because, as is always the case—I think even more so as we lurch towards their final year in government—they do not wish for the Canberra Liberals to be a part of any solution to anything. It does not matter that they might be right; it does not matter that good process has not been followed, as long as you can be seen to be doing something to fix the problem, as long as you can go out to your supporters and say how out of touch those Liberals are, who cares? Who cares if you end up with bad policy? I am just astounded.

Without further ado, I move:

That debate be adjourned.

The Assembly voted—

Ayes 7

Miss C Burch	Mr Wall
Mr Coe	
Mrs Dunne	
Ms Lawder	
Mr Milligan	
Mr Parton	

Noes 10

Ms Berry	Ms Orr
Ms J Burch	Mr Rattenbury
Ms Cheyne	Mr Steel
Mr Gentleman	Ms Stephen-Smith
Mr Gupta	
Ms Le Couteur	

Question resolved in the negative.

MS LE COUTEUR (Murrumbidgee) (5.07): The Greens will be supporting this bill. I must admit, given that it is the end of the year, I seriously looked at our supporting the adjournment motion, but we have not.

Mr Wall: On balance.

MS LE COUTEUR: On balance; I am not sure if it was a good call but we all make mistakes, members, as you will appreciate. Over the past three years I have been regularly contacted by people who have been facing serious financial and personal stress through owning an apartment in a defective building. Defects I have been told about range from structural problems to waterproofing failures, flammable cladding and apartments that are unliveable due to very loud cracking and popping noises when the building heats up and cools down.

The impact on the people affected can be substantial. A substantial number of owners of fairly new apartments in this city are forced to pay tens of thousands of dollars for repair works for their defective buildings. A small subset of these apartment owners end up with almost unsaleable units because the problems are so severe and the builder is so obstructionist that the defects will never be fixed. This is deeply unfair.

I think that we all absolutely recognise that and it is part of what Mr Parton's speech was about. This is deeply unfair. I think there is community consensus that we need to fix this problem. When people buy a new home they have no way of knowing how well it is built. They have to trust that the regulatory system will make sure that it is free from major defects. Unfortunately, very often over the past 20 years they have been let down by that system.

This has not been just a Canberra issue. It is a bigger national issue around how governments regulate industries. Starting in the 1990s, there was a broad push around the country for economists and business lobbyists, backed by both the Liberals and the ALP, for deregulation, self-regulation and so-called light-hand regulation. But this approach has failed. The Greens and many like-minded people said during the 1990s that it would fail. Many average Australians thought it would fail.

Twenty-five years later, it has conclusively failed and the building industry is perhaps our worst example. As New South Wales Liberal Premier, Gladys Berejiklian, said in July this year, "We allowed the industry to self-regulate and it hasn't worked." Across Australia, we are left with the legacy of probably tens of billions of dollars of building defects to fix. For example, the Victorian government is currently spending \$600 million on just one building's defect issue, flammable cladding. This is in just one state.

Here in the ACT, the approach has been softly, softly until recently. The spiel from officials has always been about working cooperatively with builders to solve the problems. It has been a continuation of the light-handed regulation approach which has spectacularly failed over the previous two decades.

However, recently there have been some good signs. Over the past year or two there has been an increasingly proactive approach on building enforcement from the government covering both building quality and regulatory compliance. This brings me to an important point. As we all know here, or hopefully we all know here, legislation is not enough without strong enforcement to make actual change.

If this legislation had come to the Assembly 2½ years ago, my view would have been, “Well, it is strong legislation but it will be useless because it is never enforced.” Now I think that there is at least a possibility that it will be enforced. The impression I get from talking to the Minister Ramsay’s office about this is that they have some ideas in mind of how it might actually be used.

Looking at the legislation we are voting on today, my first point is that basically all the attention has been focused on a few controversial elements. But the bulk of this bill is actually made up of smaller, but important, changes that will significantly strengthen our regulatory system and allow the regulator to work more efficiently. The rectification undertakings, for example, are a significant step forward and will be immediately useful once they are in place.

Given the serious building defects our community is facing, it is important to get these non-controversial changes in place quickly. I regret that this is a bill that has a lot of stuff which is eminently sensible, and I am sure would have had tripartisan agreement, and a smaller amount that is hopefully also sensible, but does not have tripartisan agreement. I think that it is a pity that this was not approached with two separate bills and more time given for the controversial parts.

I will now talk about that part of the legislation that relates to director liability. I could spend some time discussing the structure of corporations and whether or not company structures are a prime reason for unsustainable growth, but I am sure that members will be very pleased to know I intend to concentrate on the legislation at hand. Historically, directors have duties to the company, not to the community. In general, if a director acts in good faith, not in self-interest and is not negligent or fraudulent, then they will not have personal responsibility for the actions of a company.

Over more recent years, though, legislation has broadened individual director’s responsibilities because of various abuses of company structures. We have had the situation that a company can do things without suffering the consequences that a person would if they did the same things. There are now a significant number of federal, state and territory laws which make directors liable for the actions of their companies. For example, as we all know, directors can be held liable if a company does not pay its tax or in some circumstances when it becomes insolvent. In some cases also they are liable if it causes environmental damage.

Directors have a duty of due diligence to ensure that their business complies with workplace health and safety obligations. If there are serious breaches it is possible that a director could even be imprisoned. So this legislation is not actually an unprecedented extension of director liability. It is aiming, as has been done in other legislation, to extend the responsibility past the collective company structure and sheet it home to an individual.

In this context, I should point out that phoenixing is a serious problem in Canberra building and previous regulatory changes have not been successful in stopping it. Several developers have repeatedly built dodgy buildings and then wound up the company to avoid fixing the problems. These director liability powers will have a deterrent effect, I hope, as well as the direct effect of recovering funds to fix the buildings.

That being said, there are issues that concern me about how director liability is handled in this legislation. Director liability has the potential to bankrupt people who were only marginally involved in the oversight of construction quality. I would have preferred the legislation to have made it abundantly clear that director liability is a last resort. I would also have liked to see protections so that the directors who are targeted are key directors with oversight of construction quality.

Why is this important? A good board would have a wide range of expertise. A large construction firm's board could have a legal expert, a financial expert, construction experts and perhaps people with marketing, human resources or company governance expertise. The board of a large company also potentially has subcommittees with different oversight responsibilities. Some directors therefore may have little oversight of construction quality.

At the smaller end of the building company spectrum, I wonder about the impact that director liability may have on spouses, almost always women, who are on the company board but rely on their spouse to do the work. This is particularly problematic where the couple divorces after the defective building work has been done. The woman remains potentially on the hook for director liability, despite no fault and almost certainly no ongoing financial benefit from the business. We have all heard of sexually transmitted debt. I urge the government to reflect on these issues and to consider possible fixes in future legislation.

Retrospectivity is another issue I have considered carefully. This is in part a dry legal debate but it also matters a great deal to some Canberrans. Some of those Canberrans are the owners of recently completed apartment buildings currently in the regulatory period where the owners corporation and the government may need to rely on this legislation to get proper redress for the owners. This is why this is a very real and important issue.

On the legal issues, I thank the Master Builders for their legal advice and also acknowledge this morning's government response to the committee report, which also provided a legal take on this issue. Looking at all this, I think that it is clear that there is a difference between a plain English understanding of the term "retrospectivity" and the legal meaning. Personally, I lean towards the MBA's legal opinion, which states that, "a better view of the proposed amendments is that they will operate retrospectively at least in practical effect".

However, despite this the Greens will support this legislation. Our reasoning is that the act, or the failure to act, that caused the defect was the wrong thing to do and illegal when it was done. Not fixing the problem when it was drawn to the attention of the company was the wrong thing to do, and in many cases it was also illegal.

This legislation does not change that. Rather, what this bill does is to make a new person, the company director, liable for the problem if the company does not do the right thing. The only retrospective aspect is adding another person, the director, if all other responsible entities refuse to take responsibility. Basically, it is not a new offence. What happened was wrong in the first place. This approach is consistent with the approach taken in other areas of company law, such as paying tax and workplace health and safety.

I will also take the opportunity to raise concerns, and somewhat agree with Mr Parton, about the consultation or, more clearly, lack of consultation with the industry on this legislation and, clearly, the committee process was then rushed. Building regulation reforms to date have had support from parts of the industry—for example, the Master Builders Association, who have taken a very constructive approach on this issue. In my view it would have been better to consult with constructive stakeholders first before this bill was tabled.

Lack of consultation leads to mistakes not being noticed. I am fairly confident that this bill will be shown to have mistakes that could have been picked up. I sincerely hope that the government will use the next few months to take detailed feedback from the more constructive industry stakeholders and correct any drafting problems quickly.

I will speak briefly to Mr Parton's amendments. Amendments 1 to 3 deal with retrospectivity. I have just outlined our reasoning for not supporting those. Amendments 4 to 6 have policy merit but, as I mentioned before, director liability should be a last resort only. But it appears that the wording of the amendments has unacceptable side consequences. I really do not blame Mr Parton or PCO for that. The process has been incredibly rushed and they have been working under severe time constraints.

Madam Speaker, despite my reservations and the Greens' considerable reservations about the process, the Greens are going to support this legislation. It is a strong step forward for better building regulation in Canberra. I hope that once it is in place, and the vast majority of it I understand is noncontroversial and a good idea, backed by strong enforcement in line with the government's recent approach, there will be some improvements in building quality in the ACT.

I am even more hopeful that the government will consider carefully the issues that I have raised in this speech, the issues that Mr Parton has raised in his speech, the issues that the Master Builders have raised, that the committee has raised and that Mr Parton has crystallised in his amendments, and seriously consider making changes in a future bill to alleviate any poor drafting and unintended consequences of this bill.

MS CHEYNE (Ginninderra) (5.22): What a hyperbolic speech from Mr Parton—dramatic as always. Thank you for the entertainment at the end of this sitting year. In talking about correct process, you need to better manage your own side. I appreciate that you were away in Uganda when that bill was tabled and that it was Mr Wall who referred it to the standing committee. It is absolutely clear in *Hansard* that it was a motion that Mr Wall put and he, on behalf of your party, put the date “on or before 26 November 2019”.

Mr Parton: No, I was here.

MS CHEYNE: Okay, you were here for this?

Mr Parton: Yes, I was. I was definitely here.

MS CHEYNE: Okay, that is great; even better.

MADAM SPEAKER: I think it is best to ignore the interjections and go through the chair.

MS CHEYNE: I am making a point, though, that Mr Parton could have been working within his own party room on what would have been an appropriate reporting date for the committee to report by. We were assured that a short, sharp inquiry would be enough. If that was not Mr Parton's view, the place to prosecute that was with his own party, who were crafting the motion with which we then all agreed.

He also has a party member who is the chair of that committee. Again, if there were issues, prosecute it that way. Do not attack Mr Ramsay, who is undertaking important business. Anyone who attends these ministerial councils knows that a great deal of business is done and achieved at the dinner. It is well known that it is all done, almost, at the dinner, and often the meetings are formalised.

Mrs Dunne: Why do you have the meeting the day after, then?

MS CHEYNE: I note the interjections from Mrs Dunne; she would appreciate this from the many meetings that she has been to and councils that she has attended, including overseas. We all know this.

Mrs Dunne interjecting—

MADAM SPEAKER: Mrs Dunne, that is enough.

MS CHEYNE: We all know that the dinners are important. I think it was a bit of a stretch to attack Mr Ramsay when he and his directorate have responded quite quickly to a committee report. I do appreciate that this has all been very abbreviated, but that was provided quite early this morning—the earliest that it could be, within the program—noting again what all parties had agreed to regarding the order of business today. Again that pair had been granted.

I appreciate that Mr Parton has some issues about process here but this is not about whether something dodgy has happened. It has not. This was all done according to the letter of process. Correct process has been followed, and it was utter hyperbole for Mr Parton to make some of those remarks. On behalf of the minister, I do not appreciate them.

I am pleased to stand in support of this bill. I will speak quickly; I do not have much time left because I had to respond to a lot of what Mr Parton had been speaking about when he could have been talking about the content of the bill. But I have some good things to say about the content of the bill and I will put them on the record.

The bill continues the government's work in ensuring that the regulatory system remains effective over time and keeps pace with changes in industry and community expectations for the built environment. The amendments support the government's ongoing commitment to improve building quality to get the best outcomes for Canberrans. The amendments increase the range of options available to respond to breaches of building and construction laws, support further reform and improve the operation of relevant laws.

The bill continues the series of legislative amendments commenced in 2013 to improve the ACT building regulatory framework. Some amendments in this bill have been the subject of public discussion. While I support those changes, the bill includes other important amendments that I think are worth bringing to the Assembly's attention.

Through amendments to the Construction Occupations (Licensing) Act for a new scheme for enforceable rectification undertakings, the registrar will be able to accept written rectification undertakings, which must include at least one undertaking that will result in the rectification of the non-compliant work. An undertaking gives people the opportunity to rectify work without having a formal order issued against them.

Giving an undertaking is not an admission of fault or liability, or admissible in evidence in a court or tribunal proceeding in relation to that contravention. While a rectification undertaking is in effect and being complied with, the registrar can take no further regulatory action in relation to the alleged contravention. However, so that undertakings are not used to avoid or delay rectification works, if the undertaking is not being complied with, the registrar may apply to the Magistrates Court for an order, make a rectification order or authorise another person to take action in relation to the work stated in the rectification undertaking as appropriate.

This bill also provides a new offence of failing to comply with a court order in relation to a rectification undertaking, with a maximum penalty of 2,000 penalty units. This is the same penalty as for the offence of intentionally failing to comply with a rectification order.

The bill includes amendments that allow the Construction Occupations Registrar to issue a rectification order if made aware of a relevant breach of construction legislation within six months before the 10-year period within which the order can be issued expires, if the rectification order is made within one year of the registrar becoming aware of the contravention. This will particularly apply to latent defects that do not manifest themselves until many years after the building is occupied, or where protracted actions outside the regulatory system fail to result in necessary rectification works.

Amendments include a provision that a licensed corporation or partnership must have policies and procedures for the effective management and supervision of their nominees and construction services under their licence, including arrangements for regular communication with nominees.

A licensed corporation or partnership has dual responsibilities with their nominees to make sure that work is adequately supervised and compliant with relevant laws. The amendments make clear that failing to have an effective system of management is not a reasonable excuse to prevent action being taken against the corporation or partnership under the licensing act or other operational acts.

Amendments to the Building Act include new powers for building inspectors to direct landowners and licensed builders in relation to non-compliant work. This brings powers for building inspectors in line with powers already in place for plumbing, gasfitting and electrical inspectors.

To better inform the public, amendments also allow for information about stop notices to be made public or signs to be displayed on land in relation to a stop notice if necessary or desirable to protect the public. I am particularly pleased about this. This complements the existing public register of information about licensees and helps people to make informed decisions about people they may engage or who are associated with construction services.

At the moment the Building Act gives an express ability for building certifiers to request engineer certificates in relation to the structural soundness and stability of a building. This bill will give building certifiers the ability to request a greater range of expert engineering advice in relation to matters of safety, health and amenity that may affect whether the building as erected or altered is fit for purpose. There is no change to the requirement that a certifier may request a certificate only if satisfied on reasonable grounds that it is desirable to do so, in the interests of people who occupy or use, or are likely to occupy or use, the building.

The amendments support other reforms in the government's reform program, particularly by complementing the new documentation guidelines for building approvals and code of practice for building surveyors by allowing building certifiers to request additional expert advice if required. The new code of practice confirms that a building certifier cannot solely rely on certificates and must undertake their own inspections. But where they do not have the requisite expertise to determine compliance, they may seek advice from other construction professionals. This is something that the community has been calling for, and I am very pleased that it is in the bill.

The bill also revises powers in relation to automatic suspension grounds. Grounds for automatic suspension include loss of eligibility because of a conviction for prescribed criminal offences, bankruptcy or personal insolvency, loss of required insurance or not having a nominee, in the case of corporations and partnerships. An automatic suspension may also be applied on public safety grounds. Loss of eligibility is also a ground for occupational discipline. Where the registrar is aware of the grounds for the

automatic suspension and the matter is not resolved, an automatic suspension lasts for three months after the registrar becomes aware of the ground. If a licence renewal decision cannot be made in this time, the registrar would need to make an application to the ACAT for an occupational discipline order to continue a suspension or cancel that licence.

The bill will allow the registrar to cancel a licence where, after three months, the grounds for the suspension still exist. The registrar is not required to cancel the licence but may do so if the registrar considers it appropriate in the circumstances. To preserve procedural fairness, the decision to cancel a licence is reviewable.

The bill provides for further work in response to the ACT and national review of security of payment laws. It does this by giving the minister the power to determine other information that must be reported should additional information be reasonably required for purposes that relate to the operation of the security of payment act. This responds particularly to recommendation 77, which relates to the regulator being given sufficient information to monitor and evaluate the security of payment scheme.

The bill also includes provisions to make access to building plans for owners corporations simpler. Again this is something that has been asked for. These provisions are in response to administrative problems with releasing building plans to owners corporations and support timely action on building maintenance and other building matters for those corporations. This amendment helps to facilitate the effective functioning of those.

Amendments to the Building Act clarify that unless work is exempt, owners must appoint a building certifier. They also clarify that if a building approval is required for building work, the work cannot be undertaken without approved plans, and must be undertaken in accordance with approved plans.

There are also changes around the eligibility and application requirements for construction occupation licensing. Regulations may prescribe when an entity is eligible to hold a licence, including the qualifications that the entity must have. The term “qualification” has broad meaning, which includes a quality or accomplishment or a required circumstance. It does not refer only to academic qualifications.

Practical assessments are a feature of both builder and building surveyor licence eligibility requirements, and are required not only as a method of assessment but as an eligibility requirement. These amendments will help to avoid confusion in relation to the scope of things that may be considered as a qualification for the purposes of eligibility.

Further amendments to the Architects Act are practical amendments that will help the Architects Board in the exercise of its function. The bill expands the existing delegation powers for the Architects Board and provides for members’ attendance at meetings of the board otherwise than in person. This will allow the board to modernise and take advantage of technologies that are widely used across the business sector.

The ACT operates an integrated system of construction legislation for public protection, and this bill supports that system to help protect the safety, health and amenity of Canberrans and visitors to the territory. It is a comprehensive bill. It includes a range of reforms that have been signalled for some months, and I am very pleased that it will be delivered today.

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services) (5.36), in reply: I rise to close debate, on behalf of Minister Ramsay. I table a revised explanatory statement in response to the committee's recommendations.

The government has been very clear in its commitment to improving building quality in the territory so that the Canberra community has increased confidence in the building regulatory system. This is a very important bill in regard to that. Buying a home is the biggest investment many Canberrans will ever make. For the people who live there, the quality of these homes is important for their wellbeing and their sense of security.

The community have been very clear about their expectations about better building quality in Canberra. They have told us that they expect to hold builders to account. They have told us that they do not want people to use business structures to allow them to build poorly and get away with it. These expectations have been outlined during extensive consultation over many years on building issues, as well as through submissions, letters and complaints to the government and the regulator.

Following consultation on potential improvements to the ACT building regulatory system in 2016, the government announced a comprehensive reform program to address building quality and to improve practices across industry. We have completed 30 of the 43 reforms announced in the 2016 structure, including new minimum documentation guidelines for building approvals, exams for builders licences, a new code of practice for building surveyors, and the expansion of statutory warranties to all residential dwellings.

The bill is an essential part of this reform program. It will ensure that the regulatory system can operate effectively and that people involved in construction licences, including those working as part of a corporation, are accountable for work associated with their licence. It will also strengthen the regulatory response by expanding the powers of government inspectors to direct builders and land owners in relation to unsafe or non-compliant building work.

The government has responded to the Standing Committee on Economic Development and Tourism's recommendations on the bill, but I would like to further address the recommendations today.

Notwithstanding that the scrutiny report commended the clear and detailed explanatory statement presented to the bill, I have provided a revised statement to

provide further information about the application of the 10-year period of rectification work, retrospectivity, and executive officers. The government is happy to provide this information. In relation to recommendations 3, 5, 6 and 7, I refer members to the information in the response and the explanatory statement.

I would now like to speak about the other recommendations in more detail.

First, I go to director liability. It is concerning that public comments appear to imply that the government may have contravened relevant commonwealth laws. This is not the case. As we made clear in the response to the standing committee, the commonwealth Corporations Law was not intended to cover the field in the regulation of the duties of directors or other officers of corporations. The commonwealth Corporations Act deals with the interactions with state and territory laws. It plainly states that the corporations legislation is not intended to exclude or limit the concurrent operation of any law of a state or territory, including a law that imposes additional obligations or liabilities, whether civil or criminal, on the director or other officers of a company or another corporation. It is disingenuous for anyone to suggest otherwise.

The committee mentioned additional instruments made by the commonwealth. The information previously provided to the committee can be applied to these legislative instruments with the same result, as the commonwealth instruments are not stand-alone laws but all amend the Corporations Law. This means that once implemented, the provisions of those commonwealth instruments are covered by section 5E(1) of the commonwealth Corporations Act, which provides that the Corporations Law does not exclude or limit the concurrent operation of any law of a state or territory. The provisions are also consistent with the COAG principles for personal criminal liability of directors and executive officers. There is nothing in the operation of the proposed amendments that would appear to be inconsistent with the Corporations Law.

On director liability, in developing the bill the government has considered provisions already in place in ACT laws and in building laws in other jurisdictions. All states and territories other than South Australia already include liability provisions for directors or executive officers in their building laws. Other ACT laws also provide broader executive officer liabilities for contraventions. These laws include those that builders and others in the industry have existing obligations under, such as the Environment Protection Act, the Heritage Act, and the Tree Protection Act. Work health and safety laws also place broad duties on a range of people.

Specific amendments in the bill may make directors and executive officers consider their obligations more seriously, but they are not unreasonable. It is also important to recognise that individual licensees and partners in licensed partnerships already have personal liability.

It is also important to understand what the proposed powers do. They do not make a director liable for a building defect in all circumstances. They do not make the executive officers liable for all breaches of relevant laws by the corporation.

The powers in COLA, the Construction Occupations (Licensing) Act, that relate to directors and executive officers have been tailored to the ACT system. Criminal liability for executive officers relates only to recklessly failing to notify the Construction Occupations Registrar about things the officer may reasonably know and that affect the eligibility of the corporation to operate. These include that the corporation is insolvent, has been convicted of certain offences or no longer has required insurance. It does not include technical breaches such as noncompliance with building standards. The provisions include considerations a court may make in relation to the executive officer, their position to influence the conduct of the corporation and their awareness of the commission of an offence.

Under new section 126B, directors will become liable for fines and other amounts owed by a licensed corporation only when they become overdue. If the debt is paid on time, the director is not liable for the amount. This new section is closely based on section 111B in the Queensland Building and Construction Commission Act 1991.

Other powers have a particular focus on rectification of noncompliant work under existing rectification powers as foreshadowed by reform 37 in the building regulatory reform program. They allow the registrar to make rectification orders in relation to directors of a corporation in certain circumstances. However, as for all other rectification orders, an order to a director can be made only where it is appropriate to do so.

If a corporation closes after an order is made, it is taken that the order is made in relation to the directors. This triggers the right of review. In all other cases the director will receive a notice of intention to issue an order and have the chance to make a submission to the registrar as to why the order is not appropriate. If the order is issued, the decision is also reviewable at ACAT.

The same review mechanisms that apply to individual licensees and partners in relation to occupational discipline will apply to directors. The limitations on the time actions may be taken in relation to a director are the same as those for licensees and partners.

On retrospectivity, I would like to clarify how these laws would apply and address any perceptions that these amendments are retrospective. The amendments in the bill are not retrospective. I understand that there is confusion about what retrospectivity is. A statutory provision is not retrospective simply because it relies on conduct or events that happened before the provision existed. This is a standard application of new powers. New liabilities for amounts and notifications would apply only to amounts unpaid, or notifications required, after the commencement of the relevant provision.

Actions in relation to rectification orders and occupational discipline may apply to contraventions that occurred prior to commencement, but they do not affect decisions already made under the current laws. It is an existing obligation of a director to understand the potential consequences of contraventions, and to avoid or address them as required. These powers do not apply criminal or general civil liability to directors for the contravention, but give the regulator additional options to respond to the contravention where appropriate.

We consider that it is appropriate for the new powers to apply in this way. The alternative is that the powers could be exercised only in relation to construction services provided after commencement. This would do nothing for existing problems and allow corporations to continue to avoid their obligations years into the future.

Each provision that is not retrospective does not have to expressly state that it is not retrospective. A statement is not necessary to aid interpretation, and may in itself cause confusion, especially because the legal concept of retrospectivity is not well understood amongst potential readers of the law.

On residential building insurance, we have heard arguments that because powers already exist to take actions against licensees, and there are requirements for certain buildings to have residential building insurance, the current laws are sufficient and no further powers are warranted. We would be very glad if that were the case. We would be thrilled if the ACT's industry was unique and not subject to the same disreputable behaviours exhibited in other jurisdictions. But it is not. The ACT is not immune from these problems. The actions of some corporations in response to the exercise of existing powers has made this apparent. Residential building insurance does not provide a guarantee of completion or rectification of all works.

There are powers to take actions against licensees, but when those licensees are no longer in existence, those powers are ineffective. When the integrity of the regulatory system is undermined, it affects confidence in the industry itself. This has flow-on effects to the economy and investment in the territory.

Residential building insurance does not provide guarantee of completion or rectification of all works. A claim can be made only within five years, whereas a rectification order may be issued up to 10 years after the contravention. While there will be some interaction between the two systems, the registrar can revoke a rectification order if the problem can be resolved under the insurance system. And rectification orders are not generally issued unless the matter has not been resolved by another, less formal means.

On national reforms, across the country governments are amending laws and taking actions to deal with building problems. At a national level we have committed to reforms to strengthen regulators' powers on compliance and enforcement action.

Minister Ramsay has made it clear that at no point has the Building Ministers Forum agreed that states and territories slow down their reforms to wait for others to catch up. Amendments in this bill are entirely consistent with recommendation 6 about regulatory powers in the *Building confidence* report.

We have been called on by industry to take action to prevent the reputations of those doing the right thing being brought down by those who are not. While the provisions potentially apply to all licensees, directors of good quality licensees producing good quality work will not meet the threshold for the powers to be exercised. Good quality work does not need to be rectified, or the subject of fines, penalties and occupational discipline. But good licensees will continue to be affected by the problems caused by others if we do not act.

The bill is not only about director liability, but includes other amendments that improve the operation of the construction laws, including a new scheme for enforceable rectification undertakings and a new offence for failing to comply with a court order in relation to a rectification undertaking. This is part of our comprehensive approach to improving building quality and ensuring that the community has confidence in the construction services undertaken in the territory.

In conclusion, Minister Ramsay has said before that he expects pushback in relation to reforms about how the industry operates. We do not expect that everyone will agree with these amendments. We know that substantial reform is uncomfortable and challenging for some. People are entitled to their own views. But there should not be an assumption that industry's permission or endorsement is required for the government to act, especially if we know that it is necessary to protect the community and especially if not acting may be to the detriment of the industry in the short and long term.

The government is happy to continue to consult and work with industry to improve the practices and explain how the new provisions will work, but the government cannot, and will not, introduce reforms only if everyone in industry agrees with them. I know that Minister Ramsay has explained this clearly to industry bodies that he has met with.

The bill includes important amendments for protecting the community, preserving the integrity of the regulatory system, and restoring the reputation of the industry. These amendments give industry bodies opportunities to work with their members to develop and promote good practices. We hope that they will take those opportunities. People in the ACT need to have confidence in the building industry and in the ability of the regulator to enforce compliance with regulation. They have the right to expect quality in the homes they purchase and live in, and to have the peace of mind that there is a strong regulatory environment to improve building quality in the territory. I commend the bill to the Assembly.

Question resolved in the affirmative.

Bill agreed to in principle.

Detail stage

Bill, by leave, taken as a whole.

MR PARTON (Brindabella) (5.51): I seek leave to move amendments to this bill that have not been to the scrutiny committee, and were not circulated in accordance with standing order 178A, together.

Leave granted.

MR PARTON: I move amendments Nos 1 to 6 [*see schedule 3 at page 4836*].

The amendments that I am moving today are very simple and very straightforward, so I will keep my remarks brief. Mr Gentleman suggested, using Mr Ramsay's words, that he does not believe that we need to seek endorsement of the entire industry for changes like this, and I would completely agree with Mr Ramsay. But it is one thing to say that we do not need the endorsement of the entire industry; it is quite another to absolutely and completely ignore the very stakeholders who are fighting for their reputations. Most of them, as Mr Gentleman has pointed out, are doing a fine job. I think that is an absurd position.

These amendments seek to make it abundantly clear that these provisions will not apply retrospectively. Generally speaking, not allowing these new laws to apply retrospectively is a common legal principle. I know that Mr Gentleman has covered this, but I am not entirely satisfied that the bill as it stands at the moment gives enough protection in this space. Amendments 1 to 4 simply add that the section applies to offences, rectification orders and construction services after the commencement of these amendments.

It is unfair and harsh to convey personal liabilities of offences or rectification orders that may have been committed or served prior to this bill passing in the Assembly or even prior to when the current directors of a company may have held that position. The bill, as it currently stands, certainly according to advice that I have seen from people who are more legally qualified than the minister, is unclear about the intention of these measures.

My amendments today seek to ensure that it is crystal clear that these measures cannot be applied retrospectively. I refer briefly to legal advice which was circulated to a number of members from the master builders association, which states:

It is our view that the purpose of the Bill could be clarified and more readily achieved by the making of certain modifications to the Bill. If it was intended to be retrospective, it should state in expressly. The merits of that decision could then be debated accordingly. If it was not intended to be retrospective, that should be stated expressly. The worst of all worlds is to leave the matter open to doubt.

I have a funny feeling that my crossbench colleagues, or at least one of them, agree pretty comprehensively with that, but I think we are just going to march on. The other suggestion was:

Clarity around the retrospective operation of the amendments could only serve to foreshorten or avoid court proceedings in the future. Amendments to the current draft of the Bill should be made to make plain whether or not it is intended to apply retrospectively. For the reasons stated above, it may not apply retrospectively in legal form but it will in practical effect.

Amendment Nos 5 and 6 seek to ensure that all avenues to enforce and retrieve payment of fines from a corporation have been exhausted before making directors personally liable. Madam Speaker, quite frankly, that is not made clear in the bill. It is not made clear at all. If you take the bill exactly the way that it is written, at the point

that some of these payments are overdue, it instantly falls on the directors, and I know that that is not the way that it would be intended.

I would note, too, that in my opening address I was leading up to calling for the motion to be adjourned, so I did not address some of the wonderful aspects of this bill that have been canvassed by some people in this chamber. I think that 85 or 90 per cent of it is exceptional.

Amendments 5 and 6 seek to make the intention of these clauses crystal clear. It should not be the case that a corporation is one day late on the payment of a fine, causing a director to become personally liable. Certainly, in the very short time frame that we have had to look at this, that is the advice that I have had. As the bill currently stands, it does not make it clear that this will be or should be the case. This is neither fair nor good practice. I commend these amendments to the Assembly.

MR GENTLEMAN (Brindabella—Manager of Government Business, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services) (5.56): The government will not be supporting Mr Parton's amendments. Amendment 1, to clause 26, we see as unnecessary. This happens automatically and only when it can be applied retrospectively, as is expressly outlined.

Amendment 2, to clause 41, would mean the provision does not take effect for over 10 years. Does Mr Parton really want people not to have the protection outlined in this bill in the foreseeable future, and who is he trying to protect? It is also poorly considered. Does he propose that it not take effect from the time the construction service started or ended? These are really important details that Mr Parton has not thought about, as many large projects take years to complete. It is also important to note that there are mechanisms built into the provisions that allow for directors to submit to the registrar as to why an order is inappropriate in relation to them, as I went through earlier. The issue of an order is also reviewable.

The response regarding amendment 3, to clause 41, is the same as for amendment 2. It causes the same issues as that amendment causes.

Amendments 4 to 6, to clause 56, have has been poorly considered and show that Mr Parton really does not understand how the bill works or how the construction industry is regulated. He seems to think that there will be a manual process for these clauses. There is not. All of these provisions happen by operation of law. It is automatic.

Mr Parton seems to think that the liability under this section is incurred at the same time as the debt, fine or penalty is incurred. It does not. It only does if the amount is not paid on time, at which point the liability is automatic.

Amendment 4 seems to create a process where one does not exist. It is not clear if Mr Parton wants this to operate like a quasi-criminal offence and that the government must apply back to the court for it to take effect. By exhausting all avenues, it is poorly defined and, given that it is related to corporations, which can wind up, it can

make many avenues unavailable to government. The provision is administratively unworkable and it is likely to render the provision ineffective. Does Mr Parton really want to water down the bill so much that it cannot be used? Does he really think that the directors of building companies should not be held accountable?

Amendment 5 does something similar to amendment 4, putting in a manual process where one should not and does not exist. ACAT does not transfer the amount; it happens by the operation of the law.

Amendment 6 would require the territory to satisfy itself that all reasonable grounds have been exhausted, but the same issues occur. It is a vague provision that is not well defined. It is poorly considered, poorly expressed and again shows that Mr Parton does not understand how the law works.

I would suggest that if Mr Parton wants to create a process, he does so thoughtfully. He should learn how the system works and draft legislation that sets this out, rather than trying to make the system unworkable so that builders cannot be held to account.

MS LE COUTEUR (Murrumbidgee) (5.59): As I indicated earlier, the Greens will not be supporting these amendments. While we have some concerns about the retrospectivity, we think that, in the circumstances, it is probably reasonable, given that the actions were clearly illegal, anyway. Amendments 4 to 6 could possibly have some merit, but while this is not Mr Parton's fault, as I said, the drafting will probably lead to some unacceptable side consequences. I appreciate Mr Parton's and PCO's issues in this regard.

Amendments negatived.

Bill, as a whole, agreed to.

Bill agreed to.

Adjournment

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

That the Assembly do now adjourn.

Valedictory

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) (6.01): I would like to take this opportunity to thank everyone that I have worked with this year, both as a minister in the government and in my role as a crossbench member for the Greens. We have achieved a lot in the past year and I am proud of that. There have also been many challenges. As always, we could not have achieved what we did or met the challenges without the vital assistance, advice and support of a whole range of people.

The directorates in my ministerial portfolios have accomplished a lot this year, and I want to thank everyone involved in bringing those achievements into being. I am buoyed by the progress we are making on climate change, despite its remaining an enormous and sometimes depressing global challenge. This year we released a new climate change strategy, and I thank all the hardworking staff in the Environment, Planning and Sustainable Development Directorate—as well as right across government, because it was a whole-of-government piece of work—for the work they did to bring that fruition.

I would also like to thank the other staff in my directorates for their constant hard work and knowledgeable advice. The Justice and Community Safety Directorate has an enormous workload. There are a lot of brains in there working at overdrive almost seven days a week. They are doing an incredible job. I would also like to acknowledge the fine work being done in the mental health portfolio, especially by all the staff working hard in responding to the pressures of increasing demand. In each of my portfolios—including corrections, consumer affairs and road safety, which I have not yet mentioned—there are people doing excellent work and striving to improve the ACT and ensure that government is serving the people well.

Thank you also to all the community groups that meet with me or otherwise provide input and advice. I really value your input. You are a constant source of information, ideas and criticism; government would be worse off without you.

I want to give special thanks to my Greens colleague Ms Le Couteur. She is an impressive person—caring, smart and full of integrity—and she brings great ideas and knowledge to our team. And Caroline’s staff are a stellar team.

I want to remind all the Assembly staff that they are much appreciated. It is always good at this time of year to thank the attendants, the building managers and others for letting me into the office when I am locked out or I leave my pass at home, and for screening out all the suspicious packages.

Thanks to the ever-valuable staff in committees, the Clerk’s office and chamber support for quietly making this place continue to work. I appreciate that you always remain stoically professional. Even through all the tedious, repetitive and sometimes ridiculous debates that can occur here, not once have you ever blurted out, “Will you just get on with it?”

I want to acknowledge my colleagues in the Labor Party. It is an interesting and sometimes tricky relationship. It is not a regular relationship, being in two different political parties. Sometimes it is as though we are two people on the reality show *Survivor*. We mostly get on well, and we are frequently trying to achieve the same thing, but we occasionally look at each other sideways and wonder what the other one is plotting. Generally, of course it is a good and fruitful relationship, and I genuinely appreciate my colleagues and the efforts we all make to work together successfully to deliver the best outcomes for the ACT.

Thanks to the staff who have worked with me through the course of this year in my office: Jarrah, Anna, Sandra, John, Lisa, Fiona, Indra, Matt, Christian and Melissa. Each of you is a star in your own way, and I could not perform the role that I perform without your considerable support and enthusiasm.

I also acknowledge that we have had a series of great interns in both my office and Caroline's office over the last year. It has been a great experience to have them around with their enthusiasm. They are like sponges in their desire to learn. I hope that it has been a terrific experience for them too.

Thanks to the DLOs past and present: Kim, Gez, Morgan, Vanessa, Chadia, Alex, Angeline and Karley. I appreciate that you keep me on track, bug me to stick to deadlines, and occasionally reward me with chocolate in some kind of Pavlovian experiment.

Lastly, I want to wish all members of the Assembly a happy end of year. I hope you enjoy time over the festive season with your family and friends, relax, and are healthy and happy. I will see you in 2020.

Valedictory

MRS DUNNE (Ginninderra) (6.06): Somebody helpfully pointed out this week that this would be my last Christmas valedictory. Last year I gave people virtual presents; Ms Cheyne was very upset when she discovered that it was only a virtual theoretical present and not a real "my little pony", so no presents this year. It seems that I am getting into the season of lasts. When I was going down to annual reports hearings one day, Maria in my office pointed out that that would be my last day. I was not sad at the end of that day, I can tell you.

On the subject of Maria, she has had a really terrible 12 months or so with very traumatic illness. I want to say here that Clinton, Keith and I cannot tell you how much we appreciate you being back. I hope that this Christmas is a lot less stressful—in fact, that it is completely stress free—and that you, Chris and the kids have a great Christmas.

To Clinton and Keith, there are not enough thank-yous in the world. Your work is outstanding and your support is never unappreciated. Madam Speaker, the amount of correspondence, FOIs, questions and every other sort of thing that these guys get through never ceases to amaze me. I say to them from time to time, and I know they sort of grimace when I say it, that two grey-haired old part-timers can really make a big difference when they put their minds to it. Their capacity to churn through mountains of FOI documents which is Keith's special forte and Clinton's eye for detail make us look like a pretty slick team that is bigger than it actually is.

I have to pay a particular tribute to Mikey, the work experience kid, who really stepped up and raised the bar for work experience kids. It is going to be very hard for people coming after him to live up to his enthusiasm, interest, candour and great joy at being the work experience kid.

To my colleagues—Alistair, Nicole, Andrew, Julia, Candice, Elizabeth known as Kikko, Elizabeth known as Elizabeth, James, Parto and Jez—thank you for your camaraderie, your commitment and your hard work, and thank you for your support of my decision not to go around again.

To my committee secretaries, Brian Lloyd and Andrea Cullen, your professionalism and capacity are always appreciated and admired. To the Clerk's office, especially those who handle our mountain of questions on notice, and Janice for her scripts, thank you very much for your professional work. Thank you to corporate services, who keep us paid; and to the library, which keeps us informed. To the attendants and the security and maintenance staff, like Mr Rattenbury, I thank you for letting me into the office when I or my staff lock me out.

To the public servants, the officials in arts, Health and the Cultural Facilities Corporation, thank you for the briefings, for the cordiality and the professionalism with which you have briefed me over the past year. To the doctors, nurses, physiotherapists, occupational therapists, cooks, cleaners, admin staff, wardsmen, the Canberra Hospital and the Calvary Hospital, thank you for your service to the people of the ACT. Be assured that we in the Canberra Liberals have your backs at all times. For those of you who are working at Christmas, I thank you for your service and for giving up this precious time with your family.

To my colleagues who I have worked with in the Commonwealth Parliamentary Association over six-plus years, thank you for the professionalism and the courtesy with which I have been treated and the unlooked-for experience that I received in rising to the position of treasurer of the Commonwealth Parliamentary Association. It is a great organisation with great potential and a great future; I hope to be of service in some way in the future. (*Extension of time granted.*)

To the people of Ginninderra who put me here five times in a row, thank you very much. It is a great pleasure and honour to serve and a great pleasure and honour to be with you in the community.

To my family—to Lyle and all the kids, and the dog—thank you very much for making my home life a haven so that I can do the job that I have set out to do.

I conclude by wishing all a very merry Christmas. Do come back restored in 2020.

Valedictory

MR BARR (Kurrajong—Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment) (6.11): I rise in the adjournment debate to thank everyone for what has been a substantial year of achievement both in this place and for the Canberra community more broadly.

We have dealt with around 50 pieces of legislation in the Assembly. It has been a year of significant achievement for the ACT. We have seen the commencement of stage

1 of light rail, development of a long-term infrastructure plan, and the release of a climate change strategy and the capital of equality strategy. We have got very close to achieving, and we will achieve, 100 per cent renewable electricity.

This year we have passed major reforms to our motor accident injury scheme. We have made the system fairer and easier for people injured in motor vehicle accidents. On this I would particularly like to acknowledge the work of the former budget and policy director, Dr Jennifer Rayner, who made a very significant contribution to this project and indeed a lot of work across the ACT government.

We have seen the most successful events on record for the territory. Both Enlighten and Floriade achieved all-time record attendance levels. We have seen all-time record levels in tourism numbers and tourism's economic contribution, creating new jobs and opportunities for Canberrans.

On the sporting field the Raiders, the Giants and the Brumbies all made it to the finals. We hosted our first international test cricket match, and the UC Capitals won the grand final in a great year for women's sport.

Our screen industry has achieved wonderful recognition. I can advise the Assembly there are 14 nominations for Canberra productions at the national awards, and I wish them all the best at next week's ceremony.

In economic terms our economy has gone from strength to strength. Our economy is now worth \$41 billion. It is larger than that of the state of Tasmania and the smaller territory, the NT. It is growing faster than the national average. I am particularly proud that we have the lowest unemployment rate in Australia. Employment has increased, and 7,600 additional Canberrans are in work through this year. Most pleasing is that we now have more job vacancies in the ACT than we have unemployed people. We are the only part of Australia that has achieved that record in terms of employment growth and having more vacancies than unemployed people.

I want to thank my colleagues across the chamber, particularly on the government benches, for all of their hard work that has contributed to those really positive outcomes. We have had some changes in our team. I was pleased to welcome Ms Orr into the cabinet and Mr Gupta to the Assembly. Of course, we wish Ms Fitzharris, our former colleague, all the best in her new career.

I thank the Greens party: Minister Rattenbury, Ms Le Couteur and all of their staff. I say to the Canberra Liberals that I do not wish you too much luck in 2020, but I acknowledge the work that you as MLAs, and indeed all of your staff, contribute on behalf of constituents in the ACT.

I thank all of the ACT public service across all of our directorates, an incredibly hardworking group of passionate Canberrans who work every day to support Canberrans and to ensure that their lives are easier. I especially acknowledge those who are working over the Christmas period.

I would like to thank my personal staff. Working in the CMO is a difficult job, and I am blessed with a fantastic team who support not only my work, the work of the cabinet and the work of the government, but indeed the work of this place. I thank them all very much. I know that a few people got a little bit of a break whilst I was on my honeymoon, and I know the rest of the team will get a well-earned break over the Christmas period.

Finally, I thank all of the staff here in the Assembly for all of your assistance in making this place function so effectively. We really appreciate that. We could not do our job without your support. Thank you very much.

I wish all Canberrans a safe and happy holiday season. I hope that we can all enjoy this quieter time of year with family and friends. I look forward to being back for what will be a big 2020.

Valedictory

MS LAWDER (Brindabella) (6.16): I would like to say a big thank you to everyone: my staff, my family, my colleagues, those opposite here in the chamber, OLA staff, and, of course, my constituents in Brindabella. To those who have helped me during the past year, I say thank you so much. You know who you are. To those who have not helped me, I say thanks for nothing. You also know who you are. To those who have actively un-helped, there is not much more I can say to them.

As I usually do, I have constructed a Christmas adjournment speech by shamelessly using someone else's intellectual capital and changing it to suit my needs. For the first time, and much against my own better judgement, it involves singing. I do not usually sing and, once I have sung this, you will understand why I do not sing, so beat a hasty retreat. I ask for forgiveness in advance. It is meant to be a bit of fun. Take it in the spirit in which it is intended, including apologies for the bad singing:

On the first day of Christmas the Labor government gave to me,
my solar panels shaded by trees.

On the second day of Christmas the Labor government gave to me,
two parking tickets and my solar panels shaded by trees.

On the third day of Christmas the Labor government gave to me,
three closed bus stops, two parking tickets and my solar panels shaded by trees.

On the fourth day of Christmas the Labor government gave to me,
four blown streetlights, three closed bus stops, two parking tickets and my solar panels shaded by trees.

On the fifth day of Christmas the Labor government gave to me,
five large potholes, four blown streetlights, three closed bus stops, two parking tickets and my solar panels shaded by trees.

On the sixth day of Christmas the Labor government gave to me,
six dog attacks, five large potholes, four blown streetlights, three closed bus stops, two parking tickets and my solar panels shaded by trees.

On the seventh day of Christmas the Labor government gave to me,
seven buses cancelled, six dog attacks, five large potholes, four blown
streetlights, three closed bus stops, two parking tickets and my solar panels
shaded by trees.

On the eighth day of Christmas the Labor government gave to me,
eight cladded buildings, seven buses cancelled, six dog attacks, five large
potholes, four blown streetlights, three closed bus stops, two parking tickets and
my solar panels shaded by trees.

On the ninth day of Christmas the Labor government gave to me,
nine rural leases, eight cladded buildings, seven buses cancelled, six dog attacks,
five large potholes, four blown streetlights, three closed bus stops, two parking
tickets and my solar panels shaded by trees.

On the 10th day of Christmas the Labor government gave to me,
10 hours hospital wait, nine rural leases, eight cladded buildings, seven buses
cancelled, six dog attacks, five large potholes, four blown streetlights, three
closed bus stops, two parking tickets and my solar panels shaded by trees.

On the 11th day of Christmas the Labor government gave to me,
11 car-free days, 10 hours hospital wait, nine rural leases, eight cladded
buildings, seven buses cancelled, six dog attacks, five large potholes, four blown
streetlights, three closed bus stops, two parking tickets and my solar panels
shaded by trees.

On the 12th day of Christmas the Labor government gave to me, 12 per cent of
rates rise, 11 car-free days, 10 hours hospital wait, nine rural leases, eight
cladded buildings, seven buses cancelled, six dog attacks, five large potholes,
four blown streetlights, three closed bus stops, two parking tickets and my solar
panels shaded by trees.

Merry Christmas to you all. Have a safe and happy break. See you next year.

MADAM SPEAKER: I did check the standing orders, and apparently you are
allowed to sing. There is no encouragement from this point on.

Legislative Assembly—work experience Valedictory

MR GUPTA (Yerrabi) (6.20): Today I am delighted to speak about Amisha Sehgal,
who is student at St John Paul College, which is a local school in my electorate of
Yerrabi. Amisha came to the Legislative Assembly for work experience this week.
Amisha has been interested in politics and has done a range of activities to broaden
her perspective on the political world. Through this interest, she applied at the
Legislative Assembly for work experience and learnt many new things such as
applying her knowledge to the environment of the Assembly and learning the
day-to-day operations of the Assembly, particularly during one of our sitting weeks.

Politics and global connectivity have always excited Amisha. As a student in grade
10, influence from news and social media has expanded her knowledge of the

environment around her. Knowing about global networks and understanding the issues facing the ACT at such a young age has enabled Amisha to take up subjects and other learning experiences such as world in conflict, media, participating in school debates, and being a part of UN youth and the community, which is an integral part of the morals and values Canberra holds.

One of the main experiences Amisha has gained immensely from is competing and being part of the UN Youth ACT Evatt debating competition. The setting of the debate replicated a robust discussion during question time and enabled her to learn the different ways to work collaboratively with people with opposing views and understand different ideologies for different countries and the importance of being part of democratic society. The valuable experience led Amisha to apply her prior knowledge to doing work experience at the Assembly.

Amisha told me she has immensely enjoyed seeing what happens behind the scenes, such as how research for speeches is prepared, and how MLAs communicate what they are doing in the Assembly to the media and to the community.

One of the most special experiences Amisha enjoyed was attending the ACT AIBC annual address at the Hyatt on Monday night. They have even created a network for Amisha and allowed her to learn the different aspects of the Canberra community. Key contacts made were Sanjay Bhosale, editor-in-chief of Eagle Eye Media; Suzana Li, executive director of Fun Canberra; and Wendy Farrell, from the national secretariat of the Australia India Business Council. There were many other people there; she even bumped into her schoolteacher, which was a pleasant surprise. Amisha is now wanting to take advantage of the experience she received and create a network to broaden her horizons.

Another important learning curve for Amisha was attending the sitting week at the Assembly. From petitions to question time, ministerial statements, the presentation of bills and debate, the sitting week set a real-life example of when politicians bring forward their legislative ideas and initiatives to try to make Canberra even better. The new skills and information Amisha developed have been summarised into key points. She can now use these skills at school, at university and in everyday life.

This week I moved a motion on water efficiency and water stress in the ACT. Amisha was a fantastic asset who was able to do research to inform my speech. From doing this research, Amisha has learned how water scarcity is impacting our world and local community every day, from gaining knowledge about how a dripping tap can waste 30 to 150 litres of water per day to understanding the ways we can preserve this precious resource of ours.

This work experience placement has given Amisha a grasp of how decisions are made and laws are passed, the power of words and structure of Assembly, and how it has been developing Canberra over the past years. This experience Amisha got to take in has made her learn and try new things that she would not have otherwise tried. Amisha will take these new experiences and apply them to the future and the careers she will undertake. I wish her all the best.

I would like to thank all the members of the Assembly, my colleagues, for welcoming me to this Assembly and making me very comfortable. I am really grateful to you all. I also thank my staff; in a very short time they have given me great support.

I wish you all a very happy and festive season, and please stay safe.

Valedictory

MS ORR (Yerrabi—Minister for Community Services and Facilities, Minister for Disability, Minister for Employment and Workplace Safety and Minister for Government Services and Procurement) (6.25): I rise in this last adjournment debate of the sitting year to reflect on some of the highlights of 2019 as the member for Yerrabi.

As a government, we have committed to and delivered significant investments for the people of Yerrabi. We started the year with the opening of Margaret Hendry School in Taylor, which has been warmly embraced by the community and is providing world-class education to Gungahlin students. We delivered light rail in April this year, and the Yerrabi community have quickly come to love it. Light rail stage 1 has transformed the way our local community moves around this city and I look forward to the delivery of stage 2 and beyond.

On an environmental note, I would like to acknowledge Frankies at Forde, Sunday in Canberra and Atlas for supporting my proposal for a reusable cup zone to be launched in Gungahlin. The government has responded and will be rolling out this scheme in the very near future, which will assist in reducing waste and the impact it has on our city.

Our local environmental groups play a huge role in protecting our natural environment. To Geoff Robertson and the entire Friends of Grasslands team, thank you for your work in protecting our precious grasslands and supporting the Franklin grasslands to become a protected nature reserve. To the Giralang Pond Landcare group and retiring president Denise Kay, thank you for the hard work you all do in ensuring that the local Giralang and Kaleen waterways stay healthy and enjoyable for our entire community.

I would like to thank Kelli Donovan and Nina Gbor, whom I partnered with earlier this year to start the conversation on textile recycling and reducing the waste associated with the textile industry.

It has been an honour to have served as a minister in this government since August. Across my portfolio responsibilities of community services and facilities, disability, employment and workplace safety and government services and procurement, I have been working with stakeholder groups and the community to ensure that we are improving service delivery and achieving better outcomes for all Canberrans.

In the area of employment and workplace safety, I am pleased to have passed the Work Health and Safety Amendment Bill in the last sitting period, which commenced the process to establish a new and more independent WorkSafe ACT. The new

WorkSafe will improve work health and safety across the ACT; I am confident that working people in this city will be better protected as a result of this change.

As Minister for Disability, I have been advocating for improvements to the NDIS to ensure that Canberrans with a disability and their families can receive the services and support they need to live their day-to-day lives. There is a long way to go in improving the NDIS however I am committed to pushing for real change for Canberrans and for all Australians who deserve a fully functional NDIS.

I would like to close by making a few special thanks. I would like to thank the staff in the Chief Minister, Treasury and Economic Development Directorate, the Community Services Directorate, Worksafe ACT, the Asbestos Response Taskforce and the Environment, Planning and Sustainable Development Directorate. Their hard work in assisting the government to deliver for the people of Canberra often goes without thanks, and I believe it is important to recognise that our public service plays a vital role in supporting our city and protecting our democracy.

I would like to thank all the ALP membership in Yerrabi for their continued support and commitment to ensure that Canberra is a progressive and inclusive city for everyone. I would like to thank our wonderful multicultural communities in Yerrabi. In particular, thank you to Sanjay Sharma for organising all the very successful cricket tournaments throughout the year that he puts on. Thank you to the Telangana Association and BAPS for their ongoing efforts to enliven our region with their cultural and traditional celebrations. And thank you to the Gungahlin mosque and the Canberra Muslim community for bringing our community together. Yerrabi is a very diverse community, and it is thanks to the great efforts of these people that we have an inclusive, positive community.

I would like to congratulate the Gungahlin Jets on another successful year and thank them for listing me as their number one ticket holder for 2019. It has been a fantastic season and I cannot wait to see all the football and netball players representing the club in 2020.

I would like to thank the union movement for keeping working people safe and fighting for their rights at work.

I would also like to take an opportunity to thank all the staff in my office—we have been through a big year moving up to the ministry; they are all hanging in there doing a great job—as well as all the attendants and my colleagues here.

Most importantly, I would like to thank the people of Yerrabi. It is an honour to represent them in this place and serve them every day. As I often say, politics should be about people working together to make a difference. I am looking forward to working with my constituents and maintaining their trust to serve as their local member in this place throughout 2020 and beyond.

Valedictory

MR COE (Yerrabi—Leader of the Opposition) (6.30): I rise to thank all of those who have contributed to the opposition's success over the past 12 months. To be fully

compliant with the ACT's Human Rights Act, I can assure you that I will not be singing, and I will make this brief.

To my chief of staff, Steve, to David, Sarah, Deborah, Ausilia, Elysse and Ollie, and also to Ramon and Stuart, thank you very much for all the support that you have provided to me and my colleagues in the opposition. To my colleagues here in the Assembly, particularly to the Liberals, to Nicole, Andrew, Mark, Giulia, Jeremy, Elizabeth, Candice, Elizabeth, Vicki, and James, my colleague in Yerrabi, thank you very much for your support and all that you are doing for the ACT.

My family, Yasmin, Angus and Annabel, give me enormous strength, enormous tolerance and an enormous amount of latitude when it comes to fulfilling my duties here. It is a tough role when it comes to family life, and I am very grateful for all that they contribute to my role here.

John, Kay and the team in the Liberal Party are doing a tremendous job in ensuring that we are ready for October next year. We are in the process of selecting all of our candidates, and I am very confident that the 25 candidates that we will be selecting and taking forth to the 2020 election will be a winning team.

To all of the staff at the Assembly, be they part of the government or part of the office of the Assembly, thank you very much for your contribution to democracy in this place.

Four years is a long time, and it is a very long time in opposition. I tell some people that it is a bit like prison time, I reckon. It goes pretty slowly, but we are now coming out of the preseason phase and the premierships start next year. We are very comfortable and very confident with the position that we are in. I am very grateful to all of my colleagues for their huge commitment and their determination to make sure that we are in the best possible position to start 2020 and that we go ahead to victory in October next year. Merry Christmas.

Valedictory

MADAM SPEAKER: Before I call Mr Steel, with the indulgence of members, I will say a few words.

I want to put on record my thanks to the Office of the Legislative Assembly team for their great work and support over this year, and to my caucus colleagues. I hope that we all enjoy a safe and merry break.

I thank my office team—Mel, Emma, Eliza, Hugh, Francis and James; indeed there is even a second generation in the office, because children of staff are now attending my office—Aiden, Liam, Nicholas and Harper.

In mentioning children, I have to give a big shout-out to three others. I did ask my three boys for their favourite words or song, but I thought it was best not to try to weave in *Shotgun*, *We are the Champions* or slang they picked up on a recent overseas visit. I give an absolutely big shout-out to my wonderful Hunter, Kade and

Fletcher. May they have a very merry Christmas. They are of an age where they need to be good and kind for Santa. I wish everybody a safe and merry Christmas.

Valedictory

MR STEEL (Murrumbidgee—Minister for City Services, Minister for Multicultural Affairs, Minister for Recycling and Waste Reduction, Minister for Roads and Active Travel and Minister for Transport) (6.34): On the last sitting day of the Assembly for 2019, it is always timely to reflect on the year and the progress that has been made throughout the year on making sure that our community on the south side—and the broader Canberra—continues to be a great place to live, and noting the work that we have done to make it even better.

This year has been a particularly big year for my home town of Woden, with major work underway to create a thriving town centre. Our government is building public projects right here in our community. The fact that Major Projects Canberra is based in Woden shows this, because they are building major projects in Woden. I refer to the new hospital building in Woden, extending light rail to Woden, the new Woden interchange, the new Woden bus depot, and a brand-new, state-of-the-art, major Canberra Institute of Technology announced today. These are things that are supporting the regeneration of Woden town centre.

The government is also building a new community centre, and upgrading footpaths and cycleways. We have upgraded the town square through the Woden experiment. These are such important projects for the community, and we are getting on with the work of delivering them.

In Kambah we will complete the upgrades to the public areas of Kambah Village before the end of the year. In Weston Creek we will open the new nurse-led walk-n centre, which will provide free access to public health care for minor injuries and illnesses in our community.

One particularly satisfying but not necessarily high-profile project that we achieved this year was finding a new home for the Weston Creek Men's Shed, as well as building a new men's shed in Hughes—something that will keep older men in our community socially included and is really important, but it did not get any media.

We are also taking responsible action to manage climate change. In my portfolio that has particularly meant transitioning to a zero emissions bus fleet. We have firmly started the work on that transition and we have started operations of a fully electric bus, which is very exciting.

We have passed important legislation to protect the welfare of animals and keep our city tidy with litter legislation. Our government has been planting thousands of trees to renew and enhance our tree canopy. We have also taken the steps that we need to take to phase out single-use plastics and deal with the national waste crisis.

Changes have now been made to how we deliver services to make our city more inclusive, by abolishing library fines so that there is no barrier, particularly for

children, to read and other people in our community to access library services. We are ensuring that our city is a welcoming place by establishing a new “welcome to Canberra” support service and, earlier this year, officially becoming a welcoming city, benchmarking ourselves against standards, so that we can improve Canberra as an inclusive place.

I would also like to put on record my thanks to those people who, throughout the year, have made an incredible contribution to our city. Firstly, to my constituents in Murrumbidgee, thank you for your friendly engagement over the course of the year. It has been a privilege to represent you in the Assembly and the government.

I would also like to thank the many multicultural communities who I have had the privilege to meet throughout the year. Because of the position that I am in, I see the contribution they make to the cultural vibrancy of our city in a unique way, and they are so very valued.

In Transport Canberra I would like to thank all of the staff, from the bus drivers through to the mechanics and their representatives, transport planners and other staff in Transport Canberra that keep Canberrans connected and moving every day. Thank you for your work.

On the city services side of the directorate, to the city presentation team, the arborists, domestic animal services, roads and active travel, the capital works team and so many other parts of the directorate, I say thank you. Your work in maintaining and building our city’s infrastructure and providing services is valued by our community and our government.

I would like to thank officials from the office of multicultural affairs and the Community Services Directorate who have been doing great work on building an inclusive city.

To our DLOs, Emma Swan, Ella Jensen and Karen Kennedy, thank you for your hard work throughout the year. To my staff—Martin Greenwood, Sarah Niall, Damien Haas, James Koval, Hannah Froehlich, Alexandra Craig, Peter Kuschert, Tom McKernan and Monique Blasiak—thank you for your advice and the work that you have done throughout the year to build a better city. We have done a lot and this is just the start. We will keep delivering on our positive plans for the city next year.

I would also like to acknowledge my partner, Kurtis Osborne, who has had a pretty difficult year this year, with the passing of his mum. A lot of people in the Assembly have been very helpful in relation to that as well. Thank you for being mindful of the travel that needed to occur. Merry Christmas; I wish you all a happy new year, and I will see you at the Multicultural Festival in February.

Question resolved in the affirmative.

The Assembly adjourned at 6.39 pm until Tuesday, 11 February 2020, at 10 am.

Schedules of amendments

Schedule 1

Education Amendment Bill 2017

Amendments moved by the Minister for Education and Early Childhood Development

1

Long title—

omit the long title, substitute

An Act to amend the *Education Act 2004* and the *Education Regulation 2005*

2

Clause 2

Page 2, line 3—

omit clause 2, substitute

2 Commencement

This Act commences on a day fixed by the Minister by written notice.

Note 1 The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

Note 2 A single day or time may be fixed, or different days or times may be fixed, for the commencement of different provisions (see Legislation Act, s 77 (1)).

Note 3 If a provision has not commenced within 6 months beginning on the notification day, it automatically commences on the first day after that period (see Legislation Act, s 79).

3

Clause 3

Proposed new note

Page 2, line 18—

insert

Note This Act also amends the *Education Regulation 2005* (see sch 1).

4

Proposed new clause 3A

Page 2, line 18—

insert

3A Guidelines—certain director-general functions Section 9D (1), new dot point

insert

- chapter 5 (Home education).

5

Proposed new clause 3B

Page 2, line 18—

insert

3B New section 127C

in part 5.1, insert

127C Definitions—ch 5

In this chapter:

home education report, in relation to a child registered for home education, means a report that complies with section 138 about the educational progress of the child.

new registration means registration of a child for home education under section 131 (3) if the child either—

- (a) has not previously been registered for home education under that section; or
- (b) has previously been registered for home education under that section but the previous registration has ended 12 months or more before the new registration begins.

6**Proposed new clause 3C**

Page 2, line 18—

insert

3C	Registration—home education Part 5.2 heading, new note
-----------	---

insert

Note Chapter 6 and schedule 1 set out decisions under this Act that are reviewable.

7**Proposed new clause 3D**

Page 2, line 18—

insert

3D	Meaning of <i>home education</i> Section 129
-----------	---

omit

8**Proposed new clause 5A**

Page 3, line 13—

insert

5A	Section 131 (3)
-----------	------------------------

omit

may

substitute

must

9**Proposed new clause 5B**

Page 3, line 13—

insert

5B	Section 131 (4)
-----------	------------------------

substitute

- (4) To decide whether the conditions for registration will be complied with, an authorised person (government) may inspect any programs, materials and other records for use in the child's home education.

- (5) However, subsection (4) does not apply in relation to new registration.
- (6) The director-general must notify the parents of the child of the decision, either to register or refuse to register the child for home education, not later than 28 days after a complete application has been received by the director-general.

10

Clause 6

Page 3, line 14—

*omit clause 6, substitute***6 Section 132***substitute***132 Conditions of registration for home education**

- (1) The registration of a child for home education is subject to the following conditions:
 - (a) the parents of the child are to provide high-quality education for the child;
 - (b) the parents of the child must document the educational opportunities offered by the parents to their child and the strategies they use to encourage their child to learn;
 - (c) the parents of the child must make available for inspection on request by the director general any education programs, materials or other records used for the home education;
 - (d) the child must live, or usually live, in the ACT;
 - (e) the parents of the child must, within 28 days of either of the following occurring, tell the director-general, in writing, about the thing occurring:
 - (i) information on the register under section 139 changes;
 - (ii) the child stops living, or usually living, in the ACT;
 - (f) the parents of the child must submit a home education report;
 - (g) the home base for the child's home education is suitable for the education of the child;
 - (h) any condition prescribed by regulation.

Examples—par (d)

- 1 the child lives in the ACT, but receives medical treatment in Sydney
- 2 the child's parents have a shared parenting agreement for the child and only 1 parent lives in the ACT
- 3 the child's family leaves the ACT for an extended holiday and intends to return to the ACT

Example—par (g)

the home base poses no unreasonable health and safety risks to the child

- (2) However, subsection (1) (a) to (c) does not apply in relation to new registration within 3 months after the day of registration.

11

Proposed new clause 8A

Page 4, line 22—

*insert***8A Section 137 (3)***omit*

may
substitute
 must

12

Clause 10

Page 5, line 3—

omit clause 10, substitute

10 Section 138

substitute

138 Home education reports

- (1) The parents of a child registered for home education must give the director-general a home education report once every year, before a date in the year approved by the director general.
- (2) The report must comply with any requirement prescribed by regulation.

13

Proposed new clause 12

Page 5, line 11—

insert

12 Dictionary, definition of *home education*

substitute

home education, in relation to a child, means education conducted by 1 or both of the child's parents from a home base.

14

Proposed new clause 13

Page 5, line 11—

insert

13 Dictionary, new definitions

insert

home education report, for chapter 5 (Home education)—see section 127C.

new registration, for chapter 5 (Home education)—see section 127C.

15

Proposed new schedule 1

Page 5, line 11—

insert

Schedule 1 Education Regulation 2005— Consequential amendments

(see s 3)

[1.1] New section 2A

in part 1, insert

2A Dictionary

The dictionary at the end of this regulation is part of this regulation.

Note 1 The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere in this regulation.

For example, the signpost definition '*parental responsibility*—see the *Children and Young People Act 2008*, section 15.' means that the term '*parental responsibility*' is defined in that section and the definition applies to this regulation.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see *Legislation Act*, s 155 and s 156 (1)).

[1.2] Part 4

substitute

Part 4 Home education

7 Information for registration application—Act, s 131 (2) (b)

The following information is prescribed:

- (a) the full names of the child's parents;
- (b) the parents' contact details;

Examples

- email address
- phone number
- postal address

- (c) a certified copy of a document that shows the parents have parental responsibility for the child;

Examples

- child's birth certificate
- adoption order under the *Adoption Act 1993*, pt 3
- parentage declaration under the *Parentage Act 2004*, s 19

- (d) a certified copy of a document that proves the parents' home address;

Note The parents must tell the director-general within 28 days if the child stops living, or usually living, in the ACT (see Act, s 132 (1) (e) (ii)).

- (e) a certified copy of the child's—
 - (i) birth certificate; or
 - (ii) if the birth certificate is not available—passport or another document that the director general is satisfied identifies the child;
- (f) the full name by which the child is known, if different from the name on the document provided under paragraph (e);
- (g) the address of the home base from which the home education will be carried out;
- (h) information about any medical or special needs of the child that may affect the child's educational needs or progress.

8 Conditions of registration for home education—Act, s 132 (1) (h)

- (1) The following conditions are prescribed:

- (a) if registration of a child for home education is new registration—the parents must—

- (i) within 3 months after the day of the current registration, provide a written statement of intent to the director-general that states—
 - (A) how the parents will provide a high-quality education for the child; and
 - (B) the educational opportunities that will be offered by the parents to their child and the strategies they will use to encourage their child to learn; and
 - (C) how the plan or approach for the child’s home education will deliver an education consistent with the principles mentioned in the Act, section 128 (d); and
 - (ii) within 3 months after the day of the current registration, or at another time approved by the director general, meet with an authorised person (government) to discuss the home education of the child and, at the meeting, show any home education documents to the authorised person;
- (b) if registration of a child for home education is registration under the Act, section 131 (3), and the child has been previously registered for home education under that section, but the registration has ended less than 12 months before the current registration begins—within 10 school days from the day of registration, the parents must—
 - (i) provide a written statement of intent that states the matters mentioned in paragraph (a) (i) (A) to (C) to the director general; and
 - (ii) meet with an authorised person (government) to discuss the home education of the child and, at the meeting, show any home education documents to the authorised person;
- (c) if registration of a child for home education is renewed under the Act, section 137, and the director-general requests that the parents meet with an authorised person (government)—within 10 school days after the request, or at another time approved by the director general, the parents must—
 - (i) meet with an authorised person (government) to discuss the home education of the child; and
 - (ii) at the meeting, show any home education documents to the authorised person.

(2) In this section:

current registration means registration of a child for home education under the Act, section 131 (3), that is in force.

home education documents, in relation to a child’s home education, means the following:

- (a) programs, materials, and other records for use in the child’s home education;
- (b) a statement or documents that show the home base for the child’s home education meets the requirements under the Act, section 132 (1) (g).

Examples—documents

- photographs
- video recordings

9 Information for renewal of registration application—Act, s 137 (2) (b)

- (1) The following information is prescribed:

- (a) the full names of the child's parents;
- (b) the parents' contact details;

Examples

- email address
- phone number
- postal address

- (c) a certified copy of a document that shows the parents have parental responsibility for the child;

Examples

- child's birth certificate
- adoption order under the *Adoption Act 1993*, pt 3
- parentage declaration under the *Parentage Act 2004*, s 19

- (d) the child's name as shown on the certificate of registration;
 - (e) the child's date of birth;
 - (f) the address of the home base from which the home education will be carried out;
 - (g) the most recent home education report for the child;
 - (h) a written statement in accordance with subsection (2).
- (2) A written statement under subsection (1) (h) must be completed by the parents of the child who is the subject of the application, and state how—
- (a) for the most recent period of registration—
 - (i) the parents have provided a high-quality education and educational opportunities for the child; and
 - (ii) the parents have used strategies to encourage their child to learn; and
 - (iii) the plan or approach for the child's home education has delivered an education consistent with the principles mentioned in the Act, section 128 (d); and
 - (b) the matters mentioned in paragraph (a) will continue to be provided, or delivered, during the period of renewed registration.

Note 1 The application for renewal of registration, with the information outlined in this section, must be made not later than 3 months before the end of the registration (see Act, s 137 (2) (c)).

Note 2 The parents must tell the director-general within 28 days if information on the register changes or the child stops living, or usually living, in the ACT (see Act, s 132 (1) (e) (ii)).

10 **Home education reports about educational progress of child—Act, s 138 (2)**

- (1) A home education report must include examples of the child's educational progress.
- (2) Despite subsection (1), if a child only receives part of the child's education through home education, the report only needs to include examples of the child's educational progress that are relevant to the home education.
- (3) In this section:
educational progress, of a child, means the child's—
 - (a) spiritual, emotional, social and physical development; and

- (b) intellectual development, including development in literacy and numeracy.

11 Home education register—Act, s 139 (2)

The following particulars are prescribed:

- (a) the child's full name as shown on the document provided under section 7 (e);
- (b) the full name by which the child is known, if different from the name on the document mentioned in paragraph (a);
- (c) the child's date of birth;
- (d) the child's gender;
- (e) a unique identifying number for the child;
- (f) the full names of the child's parents;
- (g) the total period for which the child is registered for home education, including the dates on which the period begins and ends;
- (h) the address of the home base from which the home education will be carried out.

Note The parents must tell the director-general within 28 days if the information on the register changes (see Act, s 132 (1) (e) (i)).

[1.3] New dictionary

insert

Dictionary

(see s 2A)

Note 1 The Legislation Act contains definitions and other provisions relevant to this regulation.

Note 2 For example, the Legislation Act, dict, pt 1, defines the following terms:

- child
- director-general (see s 163)
- external territory
- foreign country
- home address
- may (see s 146)
- must (see s 146)
- State.

Note 3 Terms used in this regulation have the same meaning that they have in the *Education Act 2004* (see Legislation Act, s 148). For example, the following terms are defined in the *Education Act 2004*, dict:

- authorised person (government)
- home education
- home education report (see s 127C)
- new registration (see s 127C)
- parent (see s 6)
- registrar
- school board
- staff
- staff member
- student.

birth certificate, for a child, means the child's birth certificate, or a certified extract about the child's birth from the register, under the Births, Deaths and

Marriages Registration Act 1997 or a corresponding law of a State, external territory or foreign country.

parental responsibility—see the *Children and Young People Act 2008*, section 15.

Schedule 2

Education Amendment Bill 2017

Amendment moved by Mr Wall to the amendments circulated by the Minister for Education and Early Childhood Development

1

Amendment 9

Proposed new section 131 (6)—

omit proposed new section 131 (6), substitute

- (6) It is a reasonable excuse for failing to comply with a requirement under part 2.2 (Compulsory education requirements) if—
 - (a) an application has been made under this section for registration for home education; and
 - (b) the director-general has not yet decided the application and given the notice mentioned in subsection (7).
- (7) The director-general must notify the parents of the child of the decision, either to register or refuse to register the child for home education, not later than 28 days after a complete application has been received by the director-general.

Schedule 3

Building and Construction Legislation Amendment Bill 2019

Amendments moved by Mr Parton

1

Clause 26

Proposed new section 26C (3A)

Page 17, line 1—

insert

- (3A) This section applies to an offence committed by a corporation against section 26B after the commencement of this section.

2

Clause 41

Proposed new section 39A (1A)

Page 23, line 4—

insert

- (1A) This section only applies if the entity provided the construction service after the commencement of this section.

3

Clause 41

Proposed new section 39B (1A)

Page 24, line 20—

insert

- (1A) This section applies to a rectification order made in relation to a construction service provided by an entity after the commencement of this section.

4

Clause 56

Proposed new section 126B (2)

Page 37, line 14—

omit

Liability to pay the amount

substitute

If the court is satisfied on reasonable grounds that all avenues for enforcing payment of the amount of the penalty by the corporation have been exhausted, liability to pay the amount

5

Clause 56

Proposed new section 126B (4)

Page 38, line 1—

omit

Liability to pay the amount

substitute

If the ACAT is satisfied on reasonable grounds that all avenues for enforcing payment of the amount by the corporation have been exhausted, liability to pay the amount

6

Clause 56

Proposed new section 126B (6)

Page 38, line 11—

omit

Liability to pay the amount

substitute

If the Territory is satisfied on reasonable grounds that all avenues for enforcing payment of the debt by the corporation have been exhausted, liability to pay the amount

Answers to questions

Trees—maintenance (Question No 2696)

Ms Lawder asked the Minister for City Services, upon notice, on 20 September 2019:

- (1) What is the total number of public trees managed by City Services within the city limits (ie including all suburban, urban parks and street trees but not Canberra Nature Park, other reserves, forestry zones or the National Arboretum) in the financial years (a) 2011-2012, (b) 2012-2013, (c) 2013-2014, (d) 2014-2015, (e) 2015-2016, (f) 2016-2017, (g) 2017-2018 and (h) 2018-2019.
- (2) If public trees are categorised as street trees, park trees, playground trees or similar, what is the number for each category in parts (1)(a) to (1)(h).
- (3) What is the total budgeted and actual expenditure for (a) planting of public trees in new areas, (b) replacement of public trees, (c) pruning and maintenance of public trees and (d) removal of dead or dying street trees, for the financial years (i) 2015-2016, (ii) 2016-2017, (iii) 2017-2018 and (iv) 2018-2019.

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

- (1) The total number of public trees managed by Transport Canberra and City Services within the city limits is estimated at:

Year	2011	2012	2013	2014	2015	2016	2017	2018
# Trees (,000)	715	731	736	746	755	758	761	766

**Please note the figures above are an estimate only.*

- (2) Public trees are not divided into categories.
- (3) a) The actual expenditure for planting trees in new areas is included in the table below:

Financial Year	\$'000
2016-17	\$709
2017-18	\$242
2018-19	\$708

*The replacement, pruning, maintenance and the removal of dead or dying trees in new suburbs is the responsibility of the Suburban Land Agency's landscape contractor and these costs are included in the table above.

b)-d) Refer to table below

Expenditure data

	2015-2016 Budget \$'000	2015-2016 Actual \$'000	2016-2017 Budget \$'000	2016-2017 Actual \$'000	2017-2018 Budget \$'000	2017-2018 Actual \$'000	2018-2019 Budget \$'000	2018-2019 Actual \$'000
(b) replacement of public trees	1,321	1,409	1,119	1,062	1,118	1,422	1,413	1,673
(c) pruning and maintenance of public trees	4,105	3,793	4,334	5,089	4,470	4,775	4,204	4,237
(d) removal of dead or dying street trees	1,244	1,489	899	888	1,003	1,213	1,127	1,059

NOTES:

- b) For the purposes of this question, replacement of public trees is interpreted as planting and watering of young trees on public land.
- d) TCCS does not collect categorised data for the removal of street trees. The figures provided represent all removals of trees on public land.

**Transport Canberra and City Services—infringement notices
(Question No 2712)**

Ms Le Couteur asked the Minister for City Services, upon notice, on 20 September 2019:

- (1) For infringement notices for offences that fall under the Transport and City Services Directorate's portfolio areas, what are the arrangements, broken down by (a) type and (b) severity, of offence, exist for people who have received an infringement notice to (i) have a fine waived, (ii) have a fine deferred, (iii) enter into a payment plan for a fine or (iv) pay the fine in an alternative way, for example through community service.
- (2) In relation to part (1), can the Minister provide information about if and how these arrangements differ depending on the type and severity of offence, e.g. are there different options available for part payment or different types of payment, such as community work.
- (3) For each of the last ten years, what is the number of people who receive infringement notices for offences that fall under the Transport and City Services Directorate's portfolio areas who have had (a) a fine waived, (b) a fine deferred, (c) entered into a payment plan for a fine or (d) have paid the fine in an alternative way, for example through community service.
- (4) What information is provided to people who receive an infringement notice regarding (a) waivers, (b) deferrals, (c) payment plans and (d) alternative penalty options.
- (5) Does the information provided as referred to in part (4) differ depending on the type and severity of the fine; if so, can the Minister provide more information.
- (6) For each of the last ten years, (a) how many instances of failure to pay or another type of dispute have resulted in the infringement being escalated to court and (b) can the Minister provide a breakdown of this information by type of offence.

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

- (1) (a, b) The type and severity of infringements do not alter the management of infringement payments.
 - (i) Infringements fines cannot be waived. A request for a review of an infringement notice can be made and depending on the circumstances, infringements may be cancelled or withdrawn and replaced with a formal warning notice.
 - (ii) See response above.
 - (iii) Time extensions and payment plans are offered for all infringement payments.

- (iv) There is currently no process available within TCCS to have the payment of an infringement penalty replaced by community service.
- (2) See response to Question 1.
- (3) (a) Nil. Infringements fines cannot be waived.
 (b, c) Since the commencement of the electronic infringement management system (Pinforce) on 1 July 2017, a total of 16 infringements have been subject to a payment plan process. Prior to this date, the infringement management system was paper based and relied on the manual entry of information. To retrieve this data is both difficult and onerous.
 (d) There is currently no process available to have the payment of an infringement penalty replaced by community service.
- (4) (a) Nil. Infringements fines cannot be waived.
 (b, c, d) Information quoted from the *ACT Magistrates Act 1930* is included with every infringement and includes the following instructions on how a person may:
- dispute the infringement;
 - seek an extension of time to pay the infringement;
 - pay the infringement by the due date; and
 - elect to have the matter referred to the ACT Magistrate's Court.
- (5) No.
- (6) (a) Since the commencement of the electronic infringement management system (Pinforce) on 1 July 2017, a total of 303 infringements have not been paid. Of the 303 non-payment infringements, 300 were related to offences under the *Domestic Animals Act 2000*. The other three were under the *Litter Act 2004* and were cancelled after being reviewed by the TCCS Regulatory Advisory Committee and were replaced with formal warning notices.
- (b) For the past 10 years, no non-payment of infringements cases have been referred to the Magistrates Court.

Municipal services—footpaths (Question No 2716)

Ms Le Couteur asked the Minister for City Services, upon notice, on 20 September 2019 (*redirected to the Minister for Roads and Active Travel*):

- (1) Can the Minister advise on the timeframe for the footpath and partial road closure adjacent to the Belconnen Arts Centre construction site.
- (2) Has any person or company been fined for parking a vehicle across the temporary pedestrian access area adjacent to the construction site at the Belconnen Arts Centre.

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

- (1) To maintain the safety of workers and the public, lakeside access and some short-term path/road closures have been required when it was necessary to crane in large structural elements off trucks which could not enter the confined site. These deliveries

are now largely complete apart from some interruptions when vehicle site entry and exit.

Diversion of underground services in the footpath required some closures and the footpath is now reinstated and open to pedestrians, apart from some minor Icon Water works inside the block which will be completed by end December 2019. Access for pedestrians will be maintained whenever safe and practical. Construction vehicles will occupy the street frontage along Emu Bank, by arrangement until completion of the project (scheduled for March 2020).

- (2) Between 1 January to 28 October 2019, Parking Operations has not infringed any vehicles for parking illegally on the temporary pedestrian access area adjacent to the construction site at the Belconnen Arts Centre.

Canberra Hospital—emergency department bypass (Question No 2723)

Mrs Dunne asked the Minister for Health, upon notice, on 20 September 2019:

In relation to The Canberra Hospital bypass on 26 August, (a) what time was the decision taken and who took the decision, (b) who was consulted before the decision to implement a bypass was taken, (c) when were the Minister for Health and the CEO of Canberra Health Services consulted or advised, (d) what factors led to the decision to implement a hospital bypass on that date, (e) how many patients were discharged as a result of the hospital bypass and when were they discharged, (f) how many patients were transferred to private hospitals and of these (i) which private hospitals where they transferred to, (ii) when were these patients transferred and (iii) what was the cost of the transfers, (g) when was the decision made to end the bypass arrangements and who made the decision, (h) who was consulted before the decision to end the bypass arrangement, (i) what factors led to the end of the bypass arrangement, (j) to what extent did the major incident at Bimberi contribute to the decision and (k) what consultation occurred with the Community Services Directorate as part of the decision to bypass the hospital.

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

- (1) (a) The decision to go on bypass was made by the Canberra Hospital (CH) Commander (at 20:30).
- (b) CH Commander, CH Emergency Department Admitting Officer, relevant CH management positions involved in patient flow, ACT Ambulance Service and Calvary Public Hospital Bruce.
- (c) The CEO was aware of bypass at the time bypass was discussed. The CEO advised the Minister for Health via telephone that CH was in ambulance bypass at 20:34.
- (d) A Code Yellow was activated at 15:10 due to the hospital being over capacity. This was actively managed throughout the day by the Hospital Emergency Operations Centre (HEOC).

There was no obvious cause for the surge in admissions other than usual seasonal fluctuations.

When the hospital was alerted to the incident at Bimberi Youth Justice Centre, bypass was called as a risk management approach.

- (e) It is not possible to separate hospital bypass discharges from business as usual discharges.
 - (f) Nine patients transferred to private hospitals
 - (i) National Capital Private Hospital (NCPH)
 - (ii) Between 15:30 to 21:40
 - (iii) There are no costs to transfer patients to NCPH, however there may be costs associated with admission and ongoing care and treatment.
 - (g) The decision to end bypass was made at 22:05 and bypass ended at 22:15. The decision was made by the CH Commander.
 - (h) CH Commander, CH Emergency Department Admitting Officer, relevant CH management positions involved in patient flow, ACT Ambulance Service and Calvary Public Hospital Bruce.
 - (i) Hospital capacity returned to manageable activity.
 - (j) The incident at Bimberi was a contributing factor to CH going on ambulance bypass.
 - (k) Consultation occurred between Bimberi and CHS via the Operational Director, Justice Health Services.
-

Health—flu season (Question No 2724)

Mrs Dunne asked the Minister for Health, upon notice, on 20 September 2019:

- (1) How often were patients placed on trolleys in corridors in the emergency department during the flu season (1 May to 30 September) at The Canberra Hospital during (a) 2014, (b) 2015, (c) 2016, (d) 2017, (e) 2018 and (f) 2019.
- (2) How often were patients placed in trolleys in corridors in the emergency department during the flu season (1 May to 30 September) at the Calvary Public Hospital Bruce during (a) 2014, (b) 2015, (c) 2016, (d) 2017, (e) 2018 and (f) 2019.
- (3) How often were patients placed on trolleys of the emergency department at The Canberra Hospital during (a) May 2019, (b) June 2019, (c) July 2019, (d) August 2019 and (e) September 2019.
- (4) How often were patients placed on trolleys of the emergency department at the Calvary Public Hospital Bruce during (a) May 2019, (b) June 2019, (c) July 2019, (d) August 2019 and (e) September 2019.
- (5) On how many days was the Canberra Hospital at greater than 90 per cent capacity during (a) May 2019, (b) June 2019, (c) July 2019, (d) August 2019 and (e) September 2019.

- (6) On how many days was the Calvary Public Hospital Bruce at greater than 90 per cent capacity during (a) May 2019, (b) June 2019, (c) July 2019, (d) August 2019 and (e) September 2019.
- (7) On how many days was the Canberra Hospital at greater than 95 per cent capacity during (a) May 2019, (b) June 2019, (c) July 2019, (d) August 2019 and (e) September 2019.
- (8) On how many days was the Calvary Public Hospital Bruce at greater than 95 per cent capacity during (a) May 2019, (b) June 2019, (c) July 2019, (d) August 2019 and (e) September 2019.
- (9) On how many days was the Canberra Hospital at greater than 100 per cent capacity during (a) May 2019, (b) June 2019, (c) July 2019, (d) August 2019 and (e) September 2019.
- (10) On how many days was the Calvary Public Hospital Bruce at greater than 100 per cent capacity during (a) May 2019, (b) June 2019, (c) July 2019, (d) August 2019 and (e) September 2019.

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

Question	(a)	(b)	(c)	(d)	(e)	(f)
(1)	11	10	2	18	28	43
(2)	-	-	-	-	-	-
(3)	3	19	8	8	5	N/A
(4)	-	-	-	-	-	N/A
(5)	30	30	15	27	29	N/A
(6)	29	27	6	9	10	N/A
(7)	11	30	10	1	8	N/A
(8)	15	21	0	0	1	N/A
(9)	0	15	3	0	0	N/A
(10)	0	2	0	0	0	N/A

Explanatory notes:

- 'How often' is provided as days on which patients were placed on trolleys in corridors.
- Corridor occasions cannot be identified for Calvary Public Hospital Bruce (CPHB) as CPHB does not capture corridors as a location or space a patient can be in.
- The occupancy rate (capacity) is calculated using overnight beds and does not include beds assigned for day procedures. The overnight bed numbers are a calculation of the daily available beds, averaged over the reporting period.
- Over '100 per cent capacity' indicates that additional beds were utilised during the period.
- Not applicable (N/A) has been included where there was no part (f) in the original question.

Hospitals—common procedures (Question No 2725)

Mrs Dunne asked the Minister for Health, upon notice, on 20 September 2019:

- (1) What are the 20 most common procedures performed at The Canberra Hospital and how many of these procedures were performed during 2018-19.
- (2) For each of the procedures in part (1), what is the average cost of performing these procedures and how does this cost compare with (a) the Australian average and (b) peer group hospitals.
- (3) What are the 20 most common procedures performed at the Calvary Public Hospital Bruce and how many of these procedures were performed during 2018-19.
- (4) For each of the procedures in part (3), what is the average cost of performing these procedures and how does this compare with (a) the Australian average and (b) peer group hospitals.
- (5) What are the 20 most common procedures performed in private hospitals on patients funded by Canberra Health Services, and of these (a) how many of each procedure were performed during 2018-19 and (b) how does this compare with the Australian average for the relevant procedure.

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

(1)

Procedure Block	Number of Procedures at Canberra Hospital
Generalised allied health interventions	36,898
Cerebral anaesthesia	20,150
Haemodialysis	19,907
Administration of blood & blood products	4,608
Other debridement of subcutaneous tissues	2,857
Conduction anaesthesia	2,008
Administration of pharmacotherapy	1,878
Spontaneous vertex delivery	1,799
Non-invasive ventilation support	1,642
Coronary angiography	1,545
Postpartum suture	1,367
Medical or surgical induction of labour	1,184
Caesarean section	1,052
Excision procedures	961
Excision of lesion of subcutaneous tissues	916
Analgesia & anaesthesia during labour & delivery procedure	910
Endoscopic insertion, replace, removal ureteric stent	793
Fetal monitoring	743
Transluminal coronary angioplasty with stenting	725
Examination procedures on ventricle	648

- (2) Costing information is not yet available for the 2018-19 reporting period. The most recent costing information available is for 2016-17. The Independent Hospital Pricing Authority (IHPA) will release 2018-19 costing information in late 2020. Costing information can only be provided at a jurisdictional level as Canberra Hospital and Calvary Public Hospital Bruce are grouped together in the IHPA costing tool.

(3)

Procedure Block	Number of Procedures at Calvary Public Hospital Bruce
Generalised allied health interventions	20,823
Cerebral anaesthesia	8,444
Conduction anaesthesia	1,941
Fibreoptic colonoscopy with excision	1,416
Insertion intraocular lens prosthesis	1,340
Panendoscopy with excision	1,218
Administration of blood & blood products	852
Spontaneous vertex delivery	816
Fibreoptic colonoscopy	666
Examination procedures on bladder	622
Postpartum suture	616
Endoscopic insertion, replace, Removal of ureteric stent	574
Non-invasive ventilation support	540
Administration of pharmacotherapy	538
Medical or surgical induction of labour	526
Caesarean section	501
Analgesia & anaesthesia during labour & delivery procedure	493
Curettage and evacuation of uterus	479
Excision of lesion of subcutaneous tissues	364
Surgical removal of tooth	322

- (4) Costing information is not yet available for the 2018-19 reporting period. The most recent costing information available is for 2016-17. IHPA will release 2018-19 costing information in late 2020. Costing information can only be provided at a jurisdictional level as Canberra Hospital and Calvary Public Hospital Bruce are grouped together in the IHPA costing tool.
- (5) (a) I have been advised by my directorate that the information sought is not in easily retrievable form, and that to collect and assemble the information sought solely for the purpose of answering the question would require a considerable diversion of resources. In this instance, I do not believe that it would be appropriate to divert resources from other priority activities for the purposes of answering the Member's question.
- (b) Not applicable.

ACT Health—operating results (Question No 2728)

Mrs Dunne asked the Minister for Health, upon notice, on 20 September 2019:

- (1) What was the operating result for ACT Health in (a) 2014-15, (b) 2015-16, (c) 2016-17, (d) 2017-18 and (e) 2018-19.
- (2) What were the main reasons that contributed to this outcome for each of the years in part (1).
- (3) What was the operating results for Canberra Health Services for 2018-19.
- (4) Do the operating results for (a) ACT Health Services and (b) Canberra Health Services, reflect nine months of operation or 12 months.
- (5) What were the main reasons for Canberra Health Services operating result in 2018-19.

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

- (1) The operating results for ACT Health in
 - (a) 2014-15 was an operating deficit of \$44.630 million as published at page 132 of the Annual Report;
 - (b) 2015-16 was an operating deficit of \$63.336 million as published at page 135 of the Annual Report;
 - (c) 2016-17 was an operating deficit of \$39.502 million as published at page 214 of the Annual Report;
 - (d) 2017-18 was an operating deficit of \$80.571 million as published at page 167 of the Annual Report; and
 - (e) 2018-19 operating result for the ACT Health Directorate was a deficit of \$22.871 million as published at page 198 of the Annual Report.
Canberra Health Services 2018-19 operating result was a deficit of \$102.063 million as published at page 170 of the Annual Report.
- (2) The main reasons for the outcome are:
 - (a) The operating result in 2014-15 was mainly due to depreciation expenses relating to new buildings completed including the Centenary Hospital for Women and Children, Belconnen Community Health Centre, Tuggeranong Community Health Centre, Canberra Region Cancer Centre.
 - (b) The operating result in 2015-16 was mainly due to higher expenses incurred including:
 - depreciation relating to new computer software;
 - operating expenses due to increases in activity levels including overnight stays, emergency presentations and elective surgeries purchased from private providers to reduce waiting list; and
 - employee expenses due to a change in Long Service Leave probability factors (2014 15: 104.2 per cent; 2015-16: 114.7 per cent).
 - (c) The operating result in 2016-17 was mainly due to higher expenses incurred including:
 - depreciation relating to the completion of building projects, including the Ngunnawal Bush Healing Farm and Dhulwa Mental Health Unit;
 - operating expenses due to increases in emergency presentations;
 - purchased services relating to indexation and purchasing additional elective surgery procedures from private providers to reduce waiting list; partially offset by lower employee expenses which was positively impacted by a reduction in Long Service Leave probability factors (2015-16: 114.7 per cent; 2016-17: 103.4 per cent).

- (d) The operating result in 2017-18 was due mainly to:
- transfer of Controlled Recurrent Payments (Appropriation) to Territorial revenue for capital grants to Calvary Public Hospital and Winnunga Nimmityjah Aboriginal Health Service;
 - undrawn appropriation relating to the renegotiation of Enterprise Bargaining Agreements;
 - higher operating expenses due to increases in activity levels including overnight stays, emergency presentations and acute mental health services; partially offset by lower than average Long Service Leave expenses due to a decrease in Long Service Leave probability factors (2016-17: 103.4 per cent; 2017-18: 100.9 per cent).

(e)

ACT Health Directorate

The operating result for ACT Health Directorate in 2018-19 was due mainly to higher expenses incurred including:

- long service leave due to a significant increase in long service leave probability factors (2017-18: 100.9 per cent; 2018-19: 110.1 per cent);
- depreciation due to the impact of transfer of ICT assets to the Directorate following the Administrative Arrangements 2018 (No.2) on 1 October 2018; and
- ICT support and maintenance for existing legacy systems, costs relating to multiple non-capital ICT projects and the provision of core ICT services and supports to both ACT Health Directorate and Canberra Health Services.

Canberra Health Services

The operating result for Canberra Health Services in 2018-19 was due mainly to higher expenses incurred including:

- long service leave expenses due mainly to a significant increase in long service leave probability factors (2017-18: 100.9 per cent; 2018-19: 110.1 per cent) and a one-off increase in expenses following a revised estimate of leave balances through long service leave automation process.
- labour and operating expenses due to increases in activity levels including overnight stays, emergency presentations and operations at University of Canberra Hospital which commenced operations in August 2018;
- superannuation due to the recognition of provisions for additional superannuation liabilities based on applicable employment contracts;
- expected credit loss expense relating to trade and other receivables following the implementation of the new accounting standards during the year.

(3) The 2018-19 operating result for Canberra Health Services was an operating deficit of \$102.063 million as per page 170 of the Canberra Health Service Annual Report.

(4) (a) ACT Health Directorate operating results will represent nine months period from 1 October 2018 to 30 June 2019.

(b) Canberra Health Services operating results represents 12 months of operations through a combination of the former Health Directorate for the period 1 July 2018 to 30 September 2018, and activities only Canberra Health Services for the period 1 October 2018 to 30 June 2019.

(5) As per response 2 e.

Transport—public transport data (Question No 2730)

Ms Le Couteur asked the Minister for Transport, upon notice, on 27 September 2019:

- (1) For the period June to September 2018 (inclusive), what was the daily average number of public transport journeys, by originating district, for (a) weekdays and (b) weekends, for (i) total of all passenger types, (ii) full fare passengers, (iii) concession passengers excluding students and (iv) school students.
- (2) For the period June to September 2019 (inclusive), what was the daily average number of public transport journeys, by originating district, for (a) weekdays and (b) weekends, for (i) total of all passenger types, (ii) full fare passengers, (iii) concession passengers excluding students and (iv) school students.
- (3) For the period June to September 2019 (inclusive), what was the daily average number of boardings of light rail for (a) weekdays and (b) weekends, in the (i) Gungahlin district and (b) Canberra Central district.

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

1 and 2 – The tables below set out the daily average number of journeys on Transport Canberra bus and light rail services recorded by Transport Canberra on a quarterly basis, for the periods from 1 July to 30 September 2018 and 1 July to 30 September 2019 by:

- ticket category; and
- district in which the journey originated.

The total number of journeys shown in Table 1 differs to the total number in Tables 2, 3 and 4 as Table 1 includes all journeys recorded, including those where customers used paper tickets. Tables 2, 3 and 4 only include journeys made with a MyWay card where an originating public transport stop can be determined.

'District' is taken to have the same meaning as in s5 of the *Districts Act 2002*.

There were no recorded journeys on regular Transport Canberra bus or light rail services that originated in the districts of Booth, Coree, Cotter River, Hall, Kowen, Mount Clear, Paddys River, Rendezvous Creek, Stromlo or Tennent between 1 July and 30 September 2018 or 1 July and 30 September 2019.

Table 1 Daily average number of journeys on Transport Canberra bus and light rail services by ticket category (quarter ending 30 September 2018 to quarter ending 30 September 2019)

Ticket category	Daily average number of journeys - 1 July to 30 September 2018	Daily average number of journeys - 1 July to 30 September 2019
Full fare	16,642	19,279
Tertiary student	8,713	8,554

Ticket category	Daily average number of journeys - 1 July to 30 September 2018	Daily average number of journeys - 1 July to 30 September 2019
School student	10,182	10,356
Concession	7,675	7,795
Other*	100	118
TOTAL	43,312	46,102

* Other - includes customers not included in the other four ticket categories, such as current and past public transport employees.

Table 2 Daily average number of journeys Transport Canberra bus and light rail services by originating district where an originating public transport can be determined (quarter ending 30 September 2018 to quarter ending 30 September 2019)

District	Daily average number of journeys - 1 July to 30 September 2018	Daily average number of journeys - 1 July to 30 September 2019
Belconnen	8,727	8,393
Canberra Central	16,393	18,438
Gungahlin	4,793	6,168
Jerrabomberra	81	45
Majura	214	270
Molonglo Valley	242	302
Tuggeranong	4,286	4,180
Weston Creek	956	1,066
Woden Valley	4,208	4,009
TOTAL	39,900	42,871

Table 3 Daily average number of journeys on Transport Canberra bus and light rail services on weekdays by originating district where an originating public transport can be determined (quarter ending 30 September 2018 to quarter ending 30 September 2019)

District	Daily average number of journeys - 1 July to 30 September 2018	Daily average number of journeys - 1 July to 30 September 2019
Belconnen	11,128	10,519
Canberra Central	21,233	23,106
Gungahlin	6,163	7,593
Jerrabomberra	109	57
Majura	266	339
Molonglo Valley	319	388
Tuggeranong	5,681	5,433
Weston Creek	1,273	1,386
Woden Valley	5,473	5,140
TOTAL	51,646	53,960

Table 4 Daily average number of journeys on Transport Canberra bus and light rail services on weekends by originating district where an originating public transport can be determined (quarter ending 30 September 2018 to quarter ending 30 September 2019)

District	Daily average number of journeys - 1 July to 30 September 2018	Daily average number of journeys - 1 July to 30 September 2019
Belconnen	2,947	2,998
Canberra Central	4,742	6,591
Gungahlin	1,494	2,549
Jerrabomberra	13	14
Majura	90	94
Molonglo Valley	56	86
Tuggeranong	927	1,000
Weston Creek	192	252
Woden Valley	1,164	1,138
TOTAL	11,624	14,723

3. The table below sets out the daily average number of boardings recorded by the MyWay ticketing system on Transport Canberra light rail services by originating district for the period from 1 June to 30 September 2019, on weekdays and weekends.

Boardings for the district of Central Canberra are defined as boardings at Alinga Street, Eloura Street, Ipima Street, Macarthur Avenue, Dickson Interchange, Swinden Street and Phillip Avenue light rail stops.

Boardings for the district of Gungahlin are defined as boardings at EPIC and Racecourse, Well Station Drive, Nullarbor Avenue, Mapleton Avenue, Manning Clark North and Gungahlin Place light rail stops.

All figures are rounded to the nearest whole number.

Table 5 Daily average number of weekday and weekend boardings on Transport Canberra light rail services by district in which boarding occurred (1 June to 30 September 2019)

	Daily average number of weekday boardings on light rail – 1 June to 30 September 2019	Average daily number of weekend boardings on light rail – 1 June to 30 September 2019
Canberra Central	9,151	3,719
Gungahlin	5,431	2,433
TOTAL	14,583	6,152

Building—quality (Question No 2731)

Ms Le Couteur asked the Minister for Building Quality Improvement, upon notice, on 27 September 2019:

- (1) What is the current status of the Building Cladding Review.
- (2) In relation to the Term of Reference, “identify buildings on which ACPs or other materials have been used as external wall cladding in a way that is not, or may not be, compliant with the building code”, (a) what progress has been made to date, (b) what actions are currently underway, (c) how many private buildings (i.e. not ACT Government owned) have been assessed to date, (d) how many private buildings (i.e. not ACT Government owned) have been identified to date, (e) have the owners/Owners Corporations of all of the identified buildings been contacted and (f) when is work on this Term of Reference expected to be completed for all buildings in the priority group (buildings including classes 2, 3, 4, and 9 classifications of two storeys and higher).
- (3) In relation to the Term of Reference, “undertake a risk assessment and prioritisation of identified buildings for further audit, inspection or remediation”, (a) what progress has been made to date, (b) what actions are currently underway, (c) how many private buildings (i.e. not ACT Government owned) have been subject to further audit, inspection or remediation to date and (d) when is work on this Term of Reference expected to be completed for all buildings in the priority group (buildings including classes 2, 3, 4, and 9 classifications of two storeys and higher).

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

- (1) The status of the review is ongoing. I will give an update on the progress of the review by the end of the year.
 - (2)
 - a) The first phases of the review of government buildings identified approximately 70 sites that may have buildings that have potentially combustible cladding.
 - b) For public buildings, the review group has moved beyond this phase.
 - c) The review has been focusing on public buildings to date. In addition to the work already underway with the review of public buildings in the Territory, the review group is currently considering the different approaches taken in other jurisdictions in relation to the audit of private buildings containing potentially combustible cladding.
 - d) See response to c)
 - e) See response to c)
 - f) I will be providing an update on the review by the end of the year.
 - (3)
 - a) The review group is currently completing risk assessments on public buildings to determine which buildings may require further audit, inspection or remediation.
 - b) See response to a).
 - c) The review has been focusing on public buildings to date. In addition to the work already underway with the review of public buildings in the Territory, the review group is currently considering the different approaches taken in other jurisdictions in relation to the audit of private buildings containing potentially combustible cladding.
 - d) I will be providing an update on the review by the end of the year.
-

**Building—regulatory advisory committee
(Question No 2749)**

Ms Le Couteur asked the Minister for Building Quality Improvement, upon notice, on 27 September 2019:

Does the Building Regulatory Advisory Committee still operate; if so, (a) when did it last meet, (b) why has there been an extensive delay between meetings and (c) is a future meeting currently scheduled; if not, is the Directorate intending to schedule meetings in future.

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

Yes. The Committee secretariat responsibility recently transferred from Access Canberra to the Environment, Planning and Sustainable Development Directorate and will have a broader focus to discuss the reforms as well as regulation.

- (a) 24 July 2019.
- (b) There has not been an extensive delay between meetings.
- (c) Yes a meeting is scheduled for 12 November 2019.

**Aboriginals and Torres Strait Islanders—Ngunnawal Bush Healing Farm
(Question No 2751)**

Mr Milligan asked the Minister for Health, upon notice, on 27 September 2019:

- (1) In relation to the Ngunnawal Bush Health Farm (NBHF) (a) who are the members of the NBHF Advisory Board, (b) how were the members appointed, (c) what is the terms of reference for this group and tenure of their membership, (d) when is the next meeting of the NBHF Advisory Board and is there a schedule and is the schedule publicly available, (e) what is the role of the United Ngunnawal Elders Council and Aboriginal and Torres Strait Islander Elected Body in the NBHF.
- (2) When did the review of the NBHF commence and when will it be completed.
- (3) How much has the review of the NBHF cost.
- (4) Will the report or outcomes from the review of the NBHF be made publicly available.
- (5) What is the ongoing cost of operating the NBHF facility and what specific items fall within this total.
- (6) What is the breakdown between routine operational costs, and specific health support for clients attention programs at the NBHF.
- (7) How many clients (a) commenced the most recent program at the NBHF on 12 August 2019 and (b) are still engaged or attending the program.

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

- (1) (a-e) The NBHF Advisory Board is in the process of being re-established, including formalised membership and terms of reference. The last two meetings for the 2019

calendar year are scheduled to be held on Tuesday 12 November and Tuesday 3 December. It is anticipated that the Advisory Board membership and terms of reference will be finalised as priority agenda items for discussion at these upcoming meetings.

Given the importance of the Advisory Board it is critical that meeting dates are flexible to allow all participants to attend and are considerate of competing demands.

The ACT Government remains committed to Aboriginal and Torres Strait Islander self-determination, so it is critical that traditional owners groups and representative bodies, such as the United Ngunnawal Elders Council and Aboriginal and Torres Strait Islander Elected Body, are included in the conversation about the future of the NBHF.

- (2) The ACT Health Directorate (ACTHD) commissioned Mr Russell Taylor AM, Director of the Burbangana Group, to undertake a review of the NBHF in October 2018. This review is due to be completed by the end of the 2019 calendar year.
- (3) The total amount paid to date for the NBHF review is \$93,046.88 inclusive of GST.
- (4) Yes.
- (5) The budget for operations and programs for the NBHF in 2019-20 is \$1.96 million.
2019 20 Operational Budget Miowera (Ngunnawal Bush Healing Farm)

Expense Category	Budget 2019-20
Workforce ¹	\$613,000
Program Expenses	\$308,000
Property Expenses	\$567,000
Security Services	\$303,000
Other Operational Expenses ²	\$169,000

¹ Including Staff Development.

² Including Operating Lease and Hire Charges, Domestic Services, Repairs and Maintenance, Transport and Contractors and Consultants.

- (6) See response to question 5.
- (7)
 - a) 12 clients commenced the most recent program, which started 12 August 2019 and concluded on 31 October 2019; and
 - b) 7 clients completed the program.

Calvary Hospital—heating (Question No 2753)

Mr Milligan asked the Minister for Health, upon notice, on 27 September 2019:

- (1) How busy was the Emergency Department at the Calvary Public Hospital in Bruce on the evening of 30 July and on the early morning of 31 July 2019.

- (2) What proportion of persons presenting to the Emergency Department at the Calvary Public Hospital in Bruce at the times in part (1) were seen on time, including patients in categories (a) 1, (b) 2, (c) 3, (d) 4 and (e) 5.
- (3) Were there any problems with heating of the Calvary Public Hospital in Bruce on the evening of 30 July and the early morning of 31 July 2019; if so, what actions were taken to address the problems including minimising the impact of patients at this time.
- (4) Have there been problems with heating at the Calvary Public Hospital at any stage over the winter of 2019.

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

- (1) The Emergency Department (ED) at Calvary Public Hospital Bruce provides critical health care services on a 24/7 basis and frequently experiences high, but also fluctuating, levels of demand. Calvary ED was busy during this period.
- (2) There were 34 presentations to Calvary's ED between 9pm on 30 July 2019 and 2am on 31 July 2019.
 - (a) Not applicable.
 - (b) 100 per cent.
 - (c) 12 per cent.
 - (d) 13 per cent.
 - (e) Not applicable.
- (3) Calvary advises that there was an issue with the heating in the emergency department waiting room around this time and maintenance works were undertaken to remediate.
- (4) Calvary Public Hospital Bruce is a large facility and, as with any building, there can be many different infrastructure or maintenance related issues that occur unexpectedly. Calvary advises that there have been occasional environmental heating faults during the period, with remediation works prioritised accordingly.

ACT Health—staffing (Question No 2754)

Ms Lawder asked the Minister for Health, upon notice, on 27 September 2019:

- (1) Since 1 October 2018, how many executive staff have separated from (a) ACT Health and (b) Canberra Health Services.
- (2) What were the classifications of the executive staff referred to in part (1).
- (3) Were separating executive staff invited to give exit feedback or participate in an exit interview; if no, why.
- (4) How many separating executive staff gave exit feedback or participated in an exit interview.
- (5) How many separating executive staff gave exit feedback on their own initiative.

- (6) What was the nature of any exit feedback given by separating executive staff, whether by invitation or on their own initiative.
- (7) Since 1 October 2018, how many new executive staff have been appointed to (a) ACT Health and (b) Canberra Health Services.
- (8) What are the classifications of the new executive staff referred to in part (7).

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

- (1) (a) From 1 October 2018 to 27 September 2019, 20 executive staff separated from ACT Health Directorate (ACTHD). The separations are further explained in Table 1 of Attachment A.
- (b) Two executive staff have separated from Canberra Health Services (CHS) since 1 October 2018.
- (2) (a) Refer to Table 1 of Attachment A.
- (b) The executives were at classifications 1.4 and 3.3.
- (3) (a), (b) All staff who exit ACTHD are provided with an opportunity to complete an exit survey, noting it is a voluntary process.
- (4) Nil.
- (5) Nil.
- (6) Not applicable.
- (7) (a) Between 1 October 2018 and 27 September 2019, a total of 17 executives have been appointed on a long-term basis (terms greater than 12 months) in ACTHD. The appointments are further explained in Table 2 of Attachment A.
- (b) Six new executives have been engaged into positions at CHS.
- (8) (a) Refer to Table 2 of Attachment A.
- (b) The classifications of the executives are 2.1, 2.3 (x2), 2.4, 3.2 and 4.3.

Attachment A to Question No. 2754

Table 1. Executive separations from ACT Health Directorate since 1 October 2018 to 27 September 2019			
Position Title	Level	Reason	Separation date
Executive Director, Strategic Finance	2.2	Disestablishment of role	24/12/18
Director, Office of the Independent Review into the Workplace Culture within ACT Public Health Services	1.4	End of secondment	30/06/19
Executive Director, Research Policy and Innovation	2.2	Resigned to pursue other opportunities	15/01/19
Executive Group Manager, Commissioning and Performance (Acting)	2.3	End of short-term contract	30/05/19

Position Title	Level	Reason	Separation date
Executive Branch Manager, Health Insights (Acting)	1.3	End of short-term contract	30/05/19
Deputy Director-General, Corporate	3.3	Transfer to other ACT Govt Department	16/08/19
ACT Chief Nursing and Midwifery Officer (Acting)	2.2	Transfer to other ACT Govt Department	01/02/19
ACT Chief Nursing and Midwifery Officer (Acting)	2.2	Resigned to pursue other opportunities	31/01/19
Deputy Director-General, Health Systems Policy and Research	3.3	New opportunity with Australian Government	15/05/19
Deputy Director-General, Health Systems Policy and Research (Acting)	3.3	Transfer to other ACT Govt Department	16/08/19
Executive Branch Manager, Commissioning (Acting)	1.4	Resigned to pursue other opportunities	30/11/18
Innovation Partner (short term contract)	1.4	Disestablishment of role	31/01/19
Innovation Partner (short term contract)	1.4	Disestablishment of role	30/11/18
Executive Group Manager, Health System Planning and Evaluation (Acting)	2.2	Resigned to pursue other opportunities	15/03/19
Executive Director, Business Support Services	2.4	Disestablishment of role	30/01/19
Director, Financial Controller	1.4	Disestablishment of role	24/12/18
Director, Finance	1.4	Disestablishment of role	31/01/19
Director, Management Accounting	1.4	Disestablishment of role	31/01/19
Executive Director, Policy, Partnerships and Programs (Acting)	2.2	End of short-term contract	31/01/19
Director, Transition Office	1.4	End of short-term contract	31/01/19

Table 2. Executive appointments (long term > 12 months) in ACT Health Directorate between 1 October 2018 and 27 September 2019

Position Title	Level	date of appointment
Deputy Director-General, Health Systems Policy and Research	3.3	01/12/2018
Deputy Director-General, Corporate	3.3	01/12/2018
Executive Group Manager, Corporate and Governance	2.2	01/06/2019
Executive Group Manager, Strategic Infrastructure	2.4	11/02/2019
Executive Group Manager, Health System Planning and Evaluation	2.2	24/04/2019
Executive Group Manager, Policy Partnerships and Programs	2.4	01/05/2019
Executive Group Manager, Preventive and Population Health	2.3	20/05/2019
Executive Branch Manager, Governance and Risk	1.2	01/06/2019
Executive Branch Manager, Chief Finance Officer, Strategic Finance	1.2	01/06/2019
Executive Branch Manager, Strategic Infrastructure	1.2	01/07/2019
Executive Branch Manager, Commissioning	1.4	01/06/2019
Executive Branch Manager, Office of the Director-General	1.2	14/01/2019
Executive Branch Manager, Performance Reporting and Data	1.3	04/02/2019
Deputy Director-General, Health Systems Policy and Research	3.3	16/08/2019
Coordinator-General, Office for Mental Health and Wellbeing	3.2	01/12/2018
Executive Branch Manager, Culture Review Implementation	1.4	01/04/2019
Executive Branch Manager, Health Policy and Strategy	1.4	18/04/2019

Chief Minister's Charitable Fund—grants (Question No 2755)

Mr Coe asked the Chief Minister, upon notice, on 27 September 2019:

- (1) Further to question on notice No 2617, for each grant can the Chief Minister identify what (a) priorities the grant fulfilled, (b) impact areas the grant fulfilled, (c) grant amount was applied for, (d) grant amount was received, (e) reasons there were for any discrepancy between the amount applied for and received, (f) specific expected

actions, outcomes or materials were funded for each program or initiative, (g) specific visibility requirements are attached to each initiative and (h) date the final narrative and financial acquittal report is due.

- (2) What was the total number of applicants for grants for the Chief Minister's Charitable Fund.
- (3) How does the grant process for the Chief Minister's Charitable Fund differ from the previous community contributions scheme in terms of (a) eligibility requirements and (b) priorities.
- (4) What activities or organisation were funded or received funded through the community contributions scheme that are not eligible for funding the Chief Minister's Charitable Fund.
- (5) Who were the (a) community members, (b) organisations, (c) subject matter experts, (d) ACT Government agencies and (e) any other relevant entities that were consulted to determine the Chief Minister's Charitable Fund's priorities.
- (6) Where any of the consulted entities recipients of the 2019 grants; if so, what consulted parties received grants and what was the amount received.
- (7) In relation to visibility requirements for the Chief Minister's Charitable Fund, can the Chief Minister provide (a) copies of any promotional or visibility material given to recipients for use, (b) what speaking opportunities have been provided, the event, and who spoke, (c) whether the Chief Minister's name, likeness or photo, or social media was included in visibility materials or used or linked to as part of the visibility requirements; if so, what was the nature of the materials, where they were used, and what was the reach of materials, (d) the nature of the visibility "advertising" expected of grant recipients and (e) the nature of the expected "public recognition" attached to the visibility requirements of each grant.
- (8) Has Hands Across Canberra as part of its work for the Chief Minister's Charitable Fund used the Chief Minister's name, likeness or photo, or social media in promotion materials or posts; if so, (a) what is the nature of the materials, (b) where were they were used, (c) what was the reach of materials and (d) why was the Chief Minister's personal social media page linked to when political material is posted on that page.
- (9) Can the Chief Minister provide a copy of the "Annual Business Plan" of the Chief Ministers Charitable Fund.
- (10) What is the breakdown of the Chief Minister's Charitable Fund expenses since commencement to date broken down by category of expense, such as (a) staff expenses, (b) rent and (c) other relevant categories.
- (11) Why is the Chief Minister's Charitable Fund registered address on the Australian Charities and Not-for-profits Commission a residential address.
- (12) What business or office space does the Chief Minister's Charitable Fund have or use.
- (13) Are any tax offsets or other benefits associated with the listing of a residential address.

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

- (1) The Chief Minister's Charitable Fund is governed by an independent board and administered by Hands Across Canberra. The ACT Government was not a decision maker in the design of the application process, the selection of successful grant applications or the determination of amounts to be granted. The ACT appoints an independent observer to the board who does not have decision making powers. The current observer is the Director-General of the Community Services Directorate.
 - (a) See information provided by Hands Across Canberra at [Attachment A](#).
 - (b) See information provided by Hands Across Canberra at [Attachment A](#).
 - (c) See information provided by Hands Across Canberra at [Attachment A](#).
 - (d) See information provided by Hands Across Canberra at [Attachment A](#).
 - (e) The amount of money granted to individual organisations was the subject of negotiation between grant applicants and Hands Across Canberra. The ACT Government was not a decision maker to these negotiations.
 - (f) See information provided by Hands Across Canberra at [Attachment A](#).
 - (g) Agreements between Hands Across Canberra and grant recipients require acknowledgement, where possible and appropriate, of the support of Chief Minister's Charitable Fund and Hands Across Canberra during their project.
 - (h) The Chief Minister's Charitable Fund Grants program comprises three tiers – small grants of less than \$5,000, medium grants of \$5000-\$20,000, and large grants of \$20,000-\$50,000. Grant amounts are to be spent within 12 months, unless agreed otherwise. Final project reports (including acquittal) for small grants are required within one month of project completion, and for medium and large grants within three months of project completion.
- (2) 70.
- (3)
 - (a) Under the Community Contributions Scheme, clubs continue to be responsible for directly distributing 8 per cent of their net gaming machine revenue (NGMR) to organisations and activities for prescribed community purposes. Decisions about how to direct these funds continue to be made by clubs.

To be eligible for a grant from the Chief Minister's Charitable Fund, organisations must work with vulnerable people and be registered with Hands Across Canberra.

Since 1 July 2019, clubs contribute an additional 0.8% of NGMR which is distributed as follows:

- i. 0.4 per cent to gambling harm prevention and mitigation; and
- ii. 0.4 per cent to community charitable causes through the Chief Minister's Charitable Fund.

The Gambling Harm Prevention and Mitigation Fund was previously known as the Problem Gambling Assistance Fund.

(b) Community purpose contributions made by clubs are to assist the community, or a part of the community, in one or more of the following ways:

- supporting a charitable cause
- providing recreation opportunities
- providing education opportunities
- improving social inclusion, equality or cultural diversity
- benefitting or increasing participation in community sport
- preventing or mitigating harm caused by drug or alcohol misuse or dependence
- benefitting or increasing participation in women's sport conducted in the ACT, or with participants mainly based in the ACT
- providing relief or assistance to people living in Australia following a natural disaster.

The Chief Minister's Charitable Fund 2019 priorities are:

- Improve the wellbeing and mental health of children and young people; domestic violence survivors and perpetrator programs, trans, gender diverse and intersex people.
- Improve employment outcomes and equality for Aboriginal and Torres Strait Islander peoples; persons living with a disability; precariously employed individuals; refugees and migrants; trans, gender diverse and intersex people.
- Prevention and post-prison release support for young people and their families
- Quality of life improvements for all Canberrans with a focus on initiatives, services and activation in outer suburban areas
- Working with children, particularly Aboriginal and Torres Strait Islander children, young people and their families to strengthen engagement and belonging.
- Reducing the risk of older women becoming homeless
- Effective interventions for children and young people experiencing or at risk of homelessness
- Support for Aboriginal and Torres Strait Islander housing organisations.

(4) To be eligible for a grant from the Chief Minister's Charitable Fund, organisations must work with vulnerable people and be registered with Hands Across Canberra. Grants are made for projects delivered in Canberra and the nearby region. Alignment to the Chief Minister's Charitable Fund priorities is recommended but not an essential consideration for grant selection and does not preclude organisations submitting applications for other important initiatives where need is evidenced. Funding is not available for vehicles, overseas study or travel, political activities, already completed projects or already acquitted expenses.

If an organisation that would otherwise receive a community purpose contribution from a club meets this eligibility criteria, there is no reason why they would not be able to apply for a grant through the Chief Minister's Charitable Fund Grants Program.

(5) I wrote to the Chair of the Chief Minister's Charitable Fund in October 2018 to indicate the areas on which the ACT Government would focus its own support for vulnerable people in our community in 2018-2019.

The Chief Minister's Charitable Fund priorities were subsequently determined by their independent board following a process of consultation by Hands Across Canberra. The ACT Government did not conduct this consultation.

(6) As Hands Across Canberra conducted this consultation, the ACT Government does not have this information.

(7) (a) The ACT Government has not provided any promotion or visibility material to grant recipients for use.

(b) Hands Across Canberra have provided two speaking opportunities in relation to the Chief Minister's Charitable Fund Grants Program.

The first was at an event announcing the launch of the inaugural Chief Minister's Charitable Fund grant round on 3 April 2019. This event was hosted by the YWCA and I spoke briefly alongside the Chair of Hands Across Canberra and the CEO of YWCA.

The second was at an event announcing the successful Chief Minister's Charitable Fund grant recipients on 3 July 2019. This event was hosted by Mental Illness Education ACT and I spoke briefly alongside the Chair of Hands Across Canberra and the CEO of Mental Illness Education ACT.

(c) No. The visibility requirements specifically mention "the Chief Minister's Charitable Fund" and not the Chief Minister.

(d) I understand that agreements between grant recipients and Hands Across Canberra provide that no budget is to be used separately for visibility activities (such as advertising) and that visibility is only for the purpose of public recognition and only where appropriate.

(e) I understand that agreements between grant recipients and Hands Across Canberra provide that organisations 'acknowledge where possible and appropriate the support of Hands Across Canberra and the Chief Minister's Charitable Fund'.

(8) Yes.

(a) The Chief Minister's name and two photos which included the Chief Minister (amongst grant recipients and with the Chair of the Chief Minister's Charitable Fund) were used in the following circumstances:

- Two Facebook posts regarding the launching of the Chief Minister's Charitable Fund grant round and the announcement of successful Chief Minister's Charitable Fund grant recipients, a link to the press release regarding the two events published on the Hands Across Canberra website.
- The Chief Minister's Facebook page was linked on one post which states: "This morning Andrew Barr ACT Chief Minister (linked) and the Hands Across Canberra Chair Diane Kargas Bray announced the results of the first ever Chief Minister's Charitable Fund grant round..."

(b) On the Hands Across Canberra Facebook page, the Hands Across Canberra website and Chief Minister's Charitable Fund's website.

- (c) I am not aware of the reach of these materials. These sites are the responsibility of Hands Across Canberra.
- (d) Hands Across Canberra had previously linked to my Facebook page in their post regarding the announcement of grant recipients in the following statement: “This morning Andrew Barr ACT Chief Minister and the Hands Across Canberra Chair Diane Kargas Bray announced the results of the first ever Chief Minister’s Charitable Fund grant round”. This link no longer appears on that post.
- (9) Yes, see Attachment B.
- (10) The funding agreement between the ACT Government and Hands Across Canberra for the operation of the Chief Minister’s Charitable Fund limits expenditure on costs other than charitable distributions to \$225,000 in the first year and \$125,000 each subsequent year.
- I understand that the costs of establishing the Chief Minister’s Charitable Fund were approximately \$280,000 in the first year (staff expenses - \$206,000; rent – nil; other administrative costs - \$78,847).
- Any amount exceeding \$225,000 in the first year (and \$125,000 in subsequent years) is met by Hands Across Canberra.
- (11) Those are the premises that it operates from.
- (12) The premises at the organisation’s registered address.
- (13) Charities registered with the ACNC are eligible for specific tax concessions with the Australian Taxation Office (ATO). For the purposes of these tax concessions the ATO will liaise with the charity using the contact details provided on the ACNC website. Charitable organisations in the ACT do not have to pay certain duties and taxes and may be eligible for certain tax offsets.

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

Planning—Belconnen

(Question No 2762)

Mrs Kikkert asked the Minister for Planning and Land Management, upon notice, on 27 September 2019:

What is the status of the ACT Government’s application to the Supreme Court (lodged 24 May 2018), appealing the decision by ACAT in relation to the development application for block 83, section 65 in Belconnen.

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

The matter of the *Planning and Land Authority v 50 Emu Drive Pty Limited* (SCA 23 of 2018) was heard by the Supreme Court on 19 November 2018.

On 4 October 2019 the Supreme Court confirmed the original decision of the planning and land authority that the application must be refused.

Children and young people—foster care (Question No 2767)

Mrs Kikkert asked the Minister for Children, Youth and Families, upon notice, on 27 September 2019:

- (1) Does the current service contract allow for more than one foster care provider in the ACT; if not, why not.
- (2) How many formal complaints have been filed by foster carers over each of the past five financial years.
- (3) By category, what have been the top five complaints raised by foster carers over each of the past five financial years.
- (4) How many complaints over each of the past five years have been of bullying.
- (5) What are the complaints-handling processes for foster carers both within and outside of ACT Together.
- (6) Is the complaints-handling process within ACT Together monitored by Child and Youth Protection Services in any way; if so, how.
- (7) Besides the complete withdrawal of Premier Youthworks, have any other partners in the ACT Together Consortium reduced their participation or provision of services; if so, which ones and in what ways.
- (8) Why does the ACT Government not class foster carers as workers and therefore provide them with workers' rights.

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

1. The current Service Funding Agreement allows for Barnardos, as the lead organisation for the ACT Together Consortium, to sub-contract to other agencies in providing the funded services. Current sub-contracted agencies include Oz Child and the Australian Childhood Foundation.
2. Formal complaints by foster carers received by the Community Engagement and Client Services Unit within the Children, Youth and Families Division of the Community Services Directorate:

Year	Number
2018-19	3
2017-18	5
2016-17	14
2015-16	15
2014-15	7

3. I have been advised by my directorate that the information sought is not in an easily retrievable form. To compile the data would require manual review of individual complaint files for each of the past five years.

To collect and assemble the information sought solely for the purpose of answering the question would require considerable resources. In this instance, I do not believe that it would be appropriate to divert resources from other priority activities for the purposes of answering the Member's question.

4. Please see response to Q3.

5. The ongoing protection and wellbeing of children in care is incredibly important and taken seriously by everyone involved. CYPS works under legislation that governs how it can operate, and both CYPS and ACT Together work within a robust and extensive framework to ensure legal processes and requirements are upheld. This happens through many internal activities, as well as external activities where needed.

If a carer or child in care has a concern or complaint, they are encouraged to use the following avenues to help resolve any matters. This is also the escalation process CYPS and ACT Together primarily work to:

- seek advocacy support (as required);
- raise concerns initially with case manager and Care Team;
- lodge a complaint or provide feedback with the Children, Youth and Families Community Engagement and Client Services team, or with ACT Together;
- request an internal merits review of a decision; and
- seek an external review of a decision and/or raise a complaint with the Human Rights Commission, depending on the nature of the complaint.

Further information on providing feedback, compliments or raising a complaint regarding services provided by Child and Youth Protection Services (CYPS) or ACT Together is available in the Carers Handbook. The Carers Handbook is available through the following link:
https://www.communityservices.act.gov.au/__data/assets/pdf_file/0003/1340562/CarersHandbook_v1.pdf

6. CYPS and ACT Together recognise people who use their services, including carers, are free to escalate a complaint or make complaints directly to external oversight agencies, and support their right to do so.

If a person making a complaint is not happy with the response, they can escalate their complaint to the Quality Complaints and Regulation team within the Community Services Directorate. This team provides an independent complaints resolution service, or review function, for the Director-General.

Other agencies that provide external oversight regarding services and systems provided by CYPS and ACT Together include the Public Advocate and Children and Young People Commissioner, as part of the Human Rights Commission.

7. Relationships Australia withdrew from the ACT Together consortium effective 30 June 2018. Relationships Australia was sub-contracted by Barnardos to provide counselling and support services to children and young people in residential care, and to carers as required. Whilst Relationships Australia withdrew from the consortium, the staff member allocated to this work was absorbed by Barnardos and the service continued.

8. Workers are defined under section 7 of the *Work Health and Safety Act 2011* (WHS Act). That definition includes volunteers in certain circumstances. Foster carers are volunteers and are not legally workers for most matters. The decisions a carer with daily care responsibility for a child can make connote activities of a solely domestic, recreational or social nature – not work. Similarly, decisions made by a carer when exercising parental responsibility they hold under authority do not arise from a work relationship; they arise from a domestic, recreational or social relationship.

Despite the above, in certain circumstances, foster carers are considered ‘other persons’ for the purposes of the WHS Act. This is not dissimilar to other sectors, where a person in charge of a business or undertaking owes a WHS duty of care to volunteers and indeed members of the public.

Children and young people—care and protection (Question No 2769)

Mrs Kikkert asked the Minister for Children, Youth and Families, upon notice, on 27 September 2019:

- (1) What percentage of young people in care and protection in the ACT achieve a year (a) 10 and (b) 12, certificate broken down by placement at the time in (i) foster care, (ii) kinship care and (iii) residential care.
- (2) What has been the trend in the figures in part (1) across the three placement types over the past five financial years.
- (3) What percentage of young people in the ACT in general achieve a year 10 certificate, and what has been the trend in these figures over the past five financial years.
- (4) What specific supports does the ACT Government provide to young people in care and protection to encourage and/or facilitate the completion of year 10 and/or year 12 certificates.
- (5) What percentage and number of care leavers in the ACT go on to pursue postsecondary technical and vocational education and (a) of these, how many successfully complete their studies and (b) what has been the trend in these figures over the past five financial years.
- (6) What percentage of young people in the ACT in general pursue and complete postsecondary technical and vocational education, and what has been the trend in these figures over the past five years.
- (7) What percentage and number of care leavers in the ACT go on to pursue university education and (a) of these, how many successfully complete their studies and (b) what has been the trend in these figures over the past five financial years.
- (8) What percentage of young people in the ACT in general pursue and complete university education, and what has been the trend in these figures over the past five financial years.
- (9) What specific supports does the ACT Government provide to young people exiting or having existed care and protection to encourage and/or facilitate their accessing and/or successfully completing postsecondary education.

- (10) What percentage and number of care leavers in the ACT are employed within (a) one, (b) three and (c) five, years of existing care, broken down by (i) casual, (ii) part-time and (iii) full-time.
- (11) What percentage and number of young people in the ACT generally are employed within (a) one, (b) three and (c) five, years of turning 18, broken down by (i) casual, (ii) part-time and (iii) full-time.
- (12) What specific supports does the ACT Government provide to young people exiting or having exited care and protection to encourage and/or facilitate their employment.
- (13) What percentage and number of young people in the care and protection system who are aged 15 to 17 are currently employed, broken down by (a) casual, (b) part-time and (c) full-time.
- (14) What percentage and number of young people in the ACT who are aged 14 to 17 are currently employed, broken down by (a) casual, (b) part-time and (c) full-time.
- (15) What specific supports does the ACT Government provide to young people in care and protection to encourage and/or facilitate their employment.

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

1. I have been advised by my directorate that the information sought is not in an easily retrievable form. In some cases, this data is not kept by the directorate and in other cases, to compile the data would require manual review of individual files for each of the past ten years.

To collect and assemble the information sought solely for the purpose of answering the question would require considerable resources. In this instance, I do not believe that it would be appropriate to divert resources from other priority activities for the purposes of answering the Member's question.

2. See response to Q1.
3. Each year, over 90 per cent of Year 10 students in ACT public schools receive a Year 10 certificate. The table below gives the percentage of students in ACT public schools who have received a Year 10 certificate each year from 2014. The proportion is based on the number of Year 10 students enrolled at the August census each year.

Year	Proportion
2014	90%
2015	96%
2016	97%
2017	95%
2018	97%

4. All students in the ACT, between the ages of 6 and 17, are required to be enrolled and attend school in accordance with the Education Act 2004. These provisions are outlined in the Education Participation (Enrolment and Attendance) Policy, which is available via the following link:
https://www.education.act.gov.au/publications_and_policies/School-and-Corporate-Policies/student-administration/enrolment-and-attendance/education-participation-enrolment-and-attendance-policy

Students in the Territory's care system are required to attend school like any other student as per the Education Participation (Enrolment and Attendance) Policy. Schools make reasonable adjustments to meet the needs of students, including but not limited to creating individualised programs and small group programs where required. Where a risk assessment determines the risk is too high for a student to be at school at a point in time, alternative options are investigated to ensure the student has access to education.

Particular attention is provided to young people in care to ensure they can benefit from a high quality and accessible education system. Children and young people in care can be at greater risk of disengagement with education, and their educational needs vary depending on the individual. For example, the ACT Government has established a Flexible Education Team within the Education Directorate. This team supports students at Murrumbidgee Education and Training Centre, Muliyar (formerly Off Campus Flexible Learning Program), Hospital School and the Child and Adolescent Mental Health Services Cottage Day Program.

Students in these settings work with Flexible Education staff to co-construct personalised learning plans and academic and wellbeing goals. In these settings, multidisciplinary teams support students to attain their Year 10 and Year 12 certificates. Flexible Education staff work closely with high schools and colleges to design personalised transitions for each student so that their return to mainstream education is successful. In addition to the Flexible Education offerings, the Network Student Engagement Team within the Education Directorate builds the capacity of schools to make reasonable adjustments and implement alternative programs to support students to access the curriculum.

5. The Community Services Directorate does not routinely keep data on young people who have left care. Any information that is provided to Child and Youth Protection Services (CYPS) or ACT Together in relation to a young person, after they exit the care of the Director-General at the age of 18, is only done so where the young person has provided explicit consent to share that information. The complex and individual circumstances of each young person can mean that they transition to adulthood and independence at differing paces and in different ways.
6. Table 1: Postsecondary VET enrolments by young people (aged 17-24), as a percentage of the total population of 17-24 year olds, in the ACT, by calendar year 2014 to 2018

	2014	2015	2016	2017	2018
%	19%	16%	16%	15%	14%

Source: ABS, 3101.0 Australian Demographic Statistics

Source: NCVER VOCSTATS

Note: 2018 is the latest available data (commencement data is always one year behind).

Table 2: Postsecondary VET completions by young people (aged 17 - 24), as a percentage of the total population of 17-24-year olds, in the ACT, by calendar year 2013 to 2017

	2013	2014	2015	2016	2017
%	4%	5%	4%	4%	3%

Source: ABS, 3101.0 Australian Demographic Statistics

Source: NCVER VOCSTATS

Note: 2017 is the latest available data (completion data is always two years behind).

7. See response to Q5.

8. The ACT Government is unable to answer the question as it is currently posed. While the ACT Government relies on a range of Australian Government data sources to assess trends in Canberra's higher education sector, the way this data is collected and presented does not neatly align with the question. The data set that would most closely reflect the information sought is publicly available, but would also include secondary school study and vocational study (ABS Series: Education and Work (6227.0), Australia, May of each calendar year Table 21 Current study: Persons aged 15–64 years)
<https://www.abs.gov.au/AUSSTATS/abs@.nsf/DetailsPage/6227.0May%202018?OpenDocument>

9. The *Children and Young People Act 2008* (the Act) requires that a Transition Plan be developed for all young people aged 15 years and over, who are in care. When developing a Care Plan for a young person aged 15 years and over, the primary goal is that the young person transitions successfully to adulthood and independence. Transition planning is necessary even where young people continue to live with their existing carer and receive support on a voluntary basis after the age of 18 years.

CYPS and ACT Together staff prepare a young person for transition by supporting them to consider and plan for their future needs including major issues such as:

- living arrangements (e.g. is the young person going to continue to reside with their carer/s, reside with family or friends, move into other supported accommodation or live independently?);
- potential need for guardianship (does the young person have impaired decision making? What assessments might be necessary to support a future Guardianship and/or Management Order application?);
- education, training or employment (e.g. does the young person want to undertake further study or training? Does the young person want to find employment? Are they participating in career planning at school?);
- mental health and emotional wellbeing and the ongoing support they may need (e.g. counselling, therapy, adult mental health services);
- a regular means of financial support (e.g. through employment or access to Centrelink support). If the latter applies ensure that the application for the relevant payment/s is lodged when the young person becomes eligible; and
- a support network that ideally includes being engaged with supports and services, including those who work with adults, and arrangements for ongoing contact with former carer/s and Case Managers.

The transition plan in place for the young person is developed based on their individual needs and circumstances.

10. Community Services Directorate does not hold this data.

11. The ACT Government does not collect labour market data of this nature. This enquiry would be more appropriately directed to the Australian Bureau of Statistics (ABS). A link to the ABS August 2019 Labour Force Commentary is attached for the Member's information
<https://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/6202.0Main%20Features2Aug%202019?opendocument&tabname=Summary&prodno=6202.0&issue=Aug%202019&num=&view=>

12. See response to Q9.

A recent initiative of the ACT Government in the 2018-19 Budget was to fund a Young Worker Advice Service, launched in July 2019. This Service supports all young workers and provides information and advice about workplace rights to young workers, including information about pay rates, National Employment Standards, and work health and safety.

13. I have advised by my directorate that the information sought is not in an easily retrievable form. In some cases, this data is not kept by the directorate and in other cases, to compile the data would require manual review of individual files for each of the past ten years.

To collect and assemble the information sought solely for the purpose of answering a question would require considerable resources. In this instance,

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

14. The ACT Government does not collect labour market data of this nature. This enquiry would be more appropriately directed to the Australian Bureau of Statistics (ABS). A link to the ABS August 2019 Labour Force Commentary is attached for the Member's information

<https://www.abs.gov.au/ausstats/abs@.nsf/Latestproducts/6202.0Main%20Features2Aug%202019?opendocument&tabname=Summary&prodno=6202.0&issue=Aug%202019&num=&view=>

15. See response to Q9.

ACT public service—employment data (Question No 2771)

Miss C Burch asked the Minister for Education and Early Childhood Development, upon notice, on 25 October 2019:

- (1) Can the Minister provide a breakdown of total approved leave by formal classification and division for all employees in the Education Directorate including (a) what the total costs attributed to approved leave were and (b) total leave as a percentage of total attendance hours, for (i) 2017-18 and (ii) 2018-19.
- (2) In relation to claims for compensation due to bullying and harassment, what was the total (a) number of claims lodged in each division, (b) number of claims paid in each division and (c) cost of compensation in each division.

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

- 1)
 - a) The breakdown of total approved leave by division for all employees in the Education Directorate including the total costs attributed to the leave is below. Data cannot be disaggregated by classifications due to the small numbers involved as this information may identify officers involved.

Division	Value of Leave Taken		Hours of Leave Taken	
	2017-18	2018-19	2017-18	2018-19
BUSINESS SERVICES DIV	\$ 2,377,404.78	\$ 2,808,172.76	57941.58	70535.12
DEPUTY DIRECTOR GENERAL	\$ 64,882.98	\$ 132,609.08	768.25	1970.51
DIRECTOR GENERAL	\$ 38,970.43	\$ 69,274.76	477.75	667.35
EDUCATION STRATEGY	\$ -	\$ 1,415.67	0.00	14.70
EXEC DIR SCHOOL IMPROVEM	\$ -	\$ -	1813.06	105.61
EXECUTIVE	\$ -	\$ 1,857.55	0.00	48.01
NULL*	\$ 7,407.39	\$ 72,675.14	1740.69	5840.65
OFFICE FOR SCHOOLS	\$ 41,320.57	\$ 35,999.03	6892.60	680.77
PLANNING, LAND & BLD POL	\$ -	\$ 23,409.92	0.00	411.60
RESOURCE MANAGEMENT	\$ -	\$ 350.25	0.00	7.35
SCHOOL PERFORM & IMPROVE	\$ 67,984,257.35	\$ 72,340,974.09	2117635.99	2181645.24
SCHOOL PERFORM & SUPPORT	\$ 11,084.15	\$ 26,597.79	219.70	738.69
SERVICE DESIGN & DELIVER	\$ -	\$ 2,814,888.82	0.00	66979.35
SYSTEM POLICY & REFORM	\$ 987,570.48	\$ 1,139,259.55	19692.34	22871.76
TRAINING & COMMUNICATION	\$ 470.74	\$ -	10.58	0.00

*A number of staff are not allocated to a specific Division within workforce data, eg casual relief teachers.

- b) The total leave as a percentage of total attendance hours for
i) 2017-18:

Division	Absence Rate
BUSINESS SERVICES DIV	2%
DEPUTY DIRECTOR GENERAL	4%
DIRECTOR GENERAL	2%
EDUCATION STRATEGY	0%
EXEC DIR SCHOOL IMPROVEM	0%
EXECUTIVE	0%
NULL	18%
OFFICE FOR SCHOOLS	28%
PLANNING, LAND & BLD POL	0%
RESOURCE MANAGEMENT	0%
SCHOOL PERFORM & IMPROVE	2%

Division	Absence Rate 2017-18
SCHOOL PERFORM & SUPPORT	3%
SERVICE DESIGN & DELIVER	0%
SYSTEM POLICY & REFORM	2%
TRAINING & COMMUNICATION	0%

ii) 2018-19:

Division	Absence Rate 2018-19
BUSINESS SERVICES DIV	3%
DEPUTY DIRECTOR GENERAL	6%
DIRECTOR GENERAL	2%
EDUCATION STRATEGY	4%
EXEC DIR SCHOOL IMPROVEM	0%
EXECUTIVE	0%
NULL	14%
OFFICE FOR SCHOOLS	4%
PLANNING, LAND & BLD POL	18%
RESOURCE MANAGEMENT	3%
SCHOOL PERFORM & IMPROVE	3%
SCHOOL PERFORM & SUPPORT	9%
SERVICE DESIGN & DELIVER	3%
SYSTEM POLICY & REFORM	2%
TRAINING & COMMUNICATION	0%

2)

- a) There were a total of 20 workers' compensation claims for bullying and harassment lodged by Education staff in the period 1 July 2017 to 30 June 2018.

There were a total of 20 workers' compensation claims for bullying and harassment lodged by Education staff in the period 1 July 2018 to 30 June 2019.

The number of workers' compensation claims lodged by Education staff cannot be disaggregated by business unit due to the small number of claims involved as this information may identify the officer/s involved.

- b) The number of workers' compensation claims paid cannot be provided due to the small number of claims involved as this information may identify the officer/s involved.
- c) The costs of claims for 1 July 2017 to 30 June as at 30 September 2019 is \$761,497. The costs cannot be disaggregated by Division due to the small number of claims involved as this information may identify the officer/s involved.

The cost of claims for 1 July 2018 to 30 June 2019 as at 30 September 2019 is \$365,267. The costs cannot be disaggregated by Division due to the small number of claims involved as this information may identify the officer/s involved.

ACT public service—employment data (Question No 2772)

Miss C Burch asked the Minister for Health, upon notice, on 25 October 2019:

- (1) Can the Minister provide a breakdown of total approved leave by formal classification and division for all employees in the Health Directorate including (a) what the total costs attributed to approved leave were and (b) total leave as a percentage of total attendance hours, for (i) 2017-18 and (ii) 2018-19.
- (2) In relation to claims for compensation due to bullying and harassment, what was the total (a) number of claims lodged in each division, (b) number of claims paid in each division and (c) cost of compensation in each division.

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

- (1)
 - (a) The breakdown of total approved leave by formal classification and division for all employees in the ACT Health Directorate including the total costs attributed to the leave is as follows. Due to the significant change to the operational structure on 1 October 2018 a 2017-18 financial year comparison is unable to be provided.

Division	Classification	Leave Type	Value of Leave Taken 2018-19	Hours of Leave Taken 2018-19
CORPORATE SERVICES	Administrative Officers	Annual Leave (AL)	\$352,884.83	8121.13875
CORPORATE SERVICES	Administrative Officers	Birthing Leave	\$57,708.85	1757.085771
CORPORATE SERVICES	Administrative Officers	Compassionate Leave	\$3,264.82	73.5
CORPORATE SERVICES	Administrative Officers	Leave Without Pay (LWOP)	\$-	1712.737778
CORPORATE SERVICES	Administrative Officers	Long Service Leave (LSL)	\$34,752.87	804.06
CORPORATE SERVICES	Administrative Officers	Other	\$54,905.75	1124.525833
CORPORATE SERVICES	Administrative Officers	Personal Leave	\$212,475.29	5304.286705
CORPORATE SERVICES	Administrative Officers	Purchased Leave	\$17,107.95	411.6
CORPORATE SERVICES	Executive Officers	AL	\$87,193.95	904.05
CORPORATE SERVICES	Executive Officers	LWOP	\$-	7.35
CORPORATE SERVICES	Executive Officers	LSL	\$5,639.49	51.45
CORPORATE SERVICES	Executive Officers	Personal Leave	\$71,251.43	652.1016393
CORPORATE SERVICES	Health Professional Officers	AL	\$19,143.09	308.7
CORPORATE SERVICES	Health Professional Officers	Compassionate Leave	\$2,695.13	36.75
CORPORATE SERVICES	Health Professional Officers	LWOP	\$-	36.75
CORPORATE SERVICES	Health Professional Officers	Personal Leave	\$12,383.05	195.75255
CORPORATE SERVICES	Health Professional Officers	Recovery Leave (SOA/B)	\$2,202.16	29.4
CORPORATE SERVICES	Information Technology Officers	AL	\$15,656.33	316.05
CORPORATE SERVICES	Information Technology Officers	LSL	\$23,725.27	477.75
CORPORATE SERVICES	Information Technology Officers	Personal Leave	\$7,137.79	143.2147059
CORPORATE SERVICES	Nursing Staff	AL	\$10,477.06	192
CORPORATE SERVICES	Nursing Staff	Personal Leave	\$9,781.41	188
CORPORATE SERVICES	Professional Officers	AL	\$4,593.65	102.9

Division	Classification	Leave Type	Value of Leave Taken 2018-19	Hours of Leave Taken 2018-19
CORPORATE SERVICES	Senior Officers	AL	\$631,866.73	10295.28885
CORPORATE SERVICES	Senior Officers	Birthing Leave	\$14,385.14	642.0666
CORPORATE SERVICES	Senior Officers	Compassionate Leave	\$7,875.09	124.95
CORPORATE SERVICES	Senior Officers	LWOP	\$-	554.8020492
CORPORATE SERVICES	Senior Officers	LSL	\$46,071.57	646.076
CORPORATE SERVICES	Senior Officers	Other	\$7,059.54	108.9136364
CORPORATE SERVICES	Senior Officers	Personal Leave	\$307,178.33	5679.322465
CORPORATE SERVICES	Senior Officers	Purchased Leave	\$3,011.05	51.45
CORPORATE SERVICES	Senior Officers	Recovery Leave (SOA/B)	\$60,832.64	891.175
HLH SYSTEM POL & RESEARC	Administrative Officers	AL	\$215,688.93	5072.284824
HLH SYSTEM POL & RESEARC	Administrative Officers	Birthing Leave	\$36,078.89	2052.453261
HLH SYSTEM POL & RESEARC	Administrative Officers	Compassionate Leave	\$3,546.79	88.2
HLH SYSTEM POL & RESEARC	Administrative Officers	LWOP	\$-	3362.747926
HLH SYSTEM POL & RESEARC	Administrative Officers	LSL	\$20,699.02	443.1
HLH SYSTEM POL & RESEARC	Administrative Officers	Other	\$37,583.99	886.1727638
HLH SYSTEM POL & RESEARC	Administrative Officers	Personal Leave	\$149,412.44	3773.129595
HLH SYSTEM POL & RESEARC	Executive Officers	AL	\$79,345.86	766.708125
HLH SYSTEM POL & RESEARC	Executive Officers	Compassionate Leave	\$2,831.34	29.4
HLH SYSTEM POL & RESEARC	Executive Officers	LWOP	\$-	7.35
HLH SYSTEM POL & RESEARC	Executive Officers	Other	\$7,552.88	68.90625
HLH SYSTEM POL & RESEARC	Executive Officers	Personal Leave	\$15,636.80	159.7333333
HLH SYSTEM POL & RESEARC	General Service Officers & Equivalent	AL	\$16,377.79	475.5636364
HLH SYSTEM POL & RESEARC	General Service Officers & Equivalent	LWOP	\$-	51.45
HLH SYSTEM POL & RESEARC	General Service Officers & Equivalent	LSL	\$10,656.38	273.6
HLH SYSTEM POL & RESEARC	General Service Officers & Equivalent	Other	\$5,059.35	167.2
HLH SYSTEM POL & RESEARC	General Service Officers & Equivalent	Personal Leave	\$14,978.17	448.7154545
HLH SYSTEM POL & RESEARC	Health Professional Officers	AL	\$364,365.79	6502.489788
HLH SYSTEM POL & RESEARC	Health Professional Officers	Birthing Leave	\$157,813.80	5427.8658
HLH SYSTEM POL & RESEARC	Health Professional Officers	Bonding Leave	\$8,794.27	183.75
HLH SYSTEM POL & RESEARC	Health Professional Officers	Compassionate Leave	\$4,865.47	81.98
HLH SYSTEM POL & RESEARC	Health Professional Officers	LWOP	\$-	1079.205568
HLH SYSTEM POL & RESEARC	Health Professional Officers	LSL	\$131,522.66	2441.85
HLH SYSTEM POL & RESEARC	Health Professional Officers	Other	\$2,488.64	43.08
HLH SYSTEM POL & RESEARC	Health Professional Officers	Personal Leave	\$177,455.36	3926.4259

Division	Classification	Leave Type	Value of Leave Taken 2018-19	Hours of Leave Taken 2018-19
HLH SYSTEM POL & RESEARC	Health Professional Officers	Purchased Leave	\$11,349.29	246.225
HLH SYSTEM POL & RESEARC	Health Professional Officers	Recovery Leave (SOA/B)	\$13,954.43	195.1
HLH SYSTEM POL & RESEARC	Legal Officers	AL	\$9,713.24	132.3
HLH SYSTEM POL & RESEARC	Legal Officers	Personal Leave	\$11,871.73	161.7
HLH SYSTEM POL & RESEARC	Legal Officers	Recovery Leave (SOA/B)	\$1,618.87	22.05
HLH SYSTEM POL & RESEARC	Medical Officers	AL	\$96,647.20	960.3949
HLH SYSTEM POL & RESEARC	Medical Officers	LWOP	\$-	15.9551
HLH SYSTEM POL & RESEARC	Medical Officers	Other	\$31,622.24	309.427451
HLH SYSTEM POL & RESEARC	Medical Officers	Personal Leave	\$15,933.47	178.3
HLH SYSTEM POL & RESEARC	Medical Officers	Purchased Leave	\$7,099.20	66.66666667
HLH SYSTEM POL & RESEARC	Nursing Staff	AL	\$57,054.89	1162.636364
HLH SYSTEM POL & RESEARC	Nursing Staff	Birthing Leave	\$28,718.68	1180.908714
HLH SYSTEM POL & RESEARC	Nursing Staff	Compassionate Leave	\$713.58	16
HLH SYSTEM POL & RESEARC	Nursing Staff	LSL	\$12,787.54	212.8
HLH SYSTEM POL & RESEARC	Nursing Staff	Personal Leave	\$25,510.93	511.3790909
HLH SYSTEM POL & RESEARC	Professional Officers	AL	\$1,791.41	48
HLH SYSTEM POL & RESEARC	Professional Officers	Birthing Leave	\$6,657.14	339.57
HLH SYSTEM POL & RESEARC	Professional Officers	Personal Leave	\$895.70	431.253913
HLH SYSTEM POL & RESEARC	Senior Officers	AL	\$484,239.22	7886.104845
HLH SYSTEM POL & RESEARC	Senior Officers	Birthing Leave	\$78,219.95	2462.658333
HLH SYSTEM POL & RESEARC	Senior Officers	Bonding Leave	\$3,886.14	66.15
HLH SYSTEM POL & RESEARC	Senior Officers	Compassionate Leave	\$5,175.76	88.2
HLH SYSTEM POL & RESEARC	Senior Officers	LWOP	\$-	6938.933986
HLH SYSTEM POL & RESEARC	Senior Officers	LSL	\$139,422.73	2211.96
HLH SYSTEM POL & RESEARC	Senior Officers	Other	\$32,409.08	647.2767568
HLH SYSTEM POL & RESEARC	Senior Officers	Personal Leave	\$394,000.30	6370.617855
HLH SYSTEM POL & RESEARC	Senior Officers	Recovery Leave (SOA/B)	\$33,820.51	485.1
HLH SYSTEM POL & RESEARC	Technical Officers	AL	\$7,238.48	232.7
HLH SYSTEM POL & RESEARC	Technical Officers	Bonding Leave	\$1,050.08	33.075
HLH SYSTEM POL & RESEARC	Technical Officers	Personal Leave	\$2,925.92	99.13

Division	Classification	Leave Type	Value of Leave Taken 2018-19	Hours of Leave Taken 2018-19
OFF THE DIRECTOR GENERAL	Administrative Officers	AL	\$58,046.96	1364.955
OFF THE DIRECTOR GENERAL	Administrative Officers	Birthing Leave	\$7,672.76	351.918
OFF THE DIRECTOR GENERAL	Administrative Officers	LWOP	\$-	120.75
OFF THE DIRECTOR GENERAL	Administrative Officers	LSL	\$4,580.30	117.6
OFF THE DIRECTOR GENERAL	Administrative Officers	Personal Leave	\$35,729.12	963.88
OFF THE DIRECTOR GENERAL	Executive Officers	AL	\$35,925.33	300.71
OFF THE DIRECTOR GENERAL	Executive Officers	Personal Leave	\$7,063.65	44.1
OFF THE DIRECTOR GENERAL	Executive Officers	Recovery Leave (SOA/B)	\$1,128.44	14.7
OFF THE DIRECTOR GENERAL	Senior Officers	AL	\$85,164.39	1443.844318
OFF THE DIRECTOR GENERAL	Senior Officers	LWOP	\$-	308.7
OFF THE DIRECTOR GENERAL	Senior Officers	Personal Leave	\$37,062.19	1308.989579
OFF THE DIRECTOR GENERAL	Senior Officers	Recovery Leave (SOA/B)	\$9,440.20	139.95

*Other Leave is inclusive of the following leave types: Accrued Days off, Blood Donor Leave, Conference Leave, Defence Reserve Leave, Emergency Services Leave, Foster and Short Term Care, International Sporting Event, Jury Service, Study Leave, Voluntary Community Service, and Full Incapacity Workers Compensation

(b) The total leave as a percentage of total attendance hours for:

(i) 2017-18:

Due to the significant change to the operational structure on 1 October 2018 a 2017-18 financial year comparison is unable to be provided.

(i) 2018-19:

Division	Classification	Leave Type	Absence Rate 2018-19
CORPORATE SERVICES	Administrative Officers	AL	8.4%
CORPORATE SERVICES	Administrative Officers	Birthing Leave	1.8%
CORPORATE SERVICES	Administrative Officers	Compassionate Leave	0.1%
CORPORATE SERVICES	Administrative Officers	LWOP	1.8%
CORPORATE SERVICES	Administrative Officers	LSL	0.8%
CORPORATE SERVICES	Administrative Officers	Other	1.2%
CORPORATE SERVICES	Administrative Officers	Personal Leave	5.5%
CORPORATE SERVICES	Administrative Officers	Purchased Leave	0.4%
CORPORATE SERVICES	Executive Officers	AL	6.3%
CORPORATE SERVICES	Executive Officers	LWOP	0.1%
CORPORATE SERVICES	Executive Officers	LSL	0.4%
CORPORATE SERVICES	Executive Officers	Personal Leave	4.5%
CORPORATE SERVICES	Health Professional Officers	AL	6.8%
CORPORATE SERVICES	Health Professional Officers	Compassionate Leave	0.8%
CORPORATE SERVICES	Health Professional Officers	LWOP	0.8%
CORPORATE SERVICES	Health Professional Officers	Personal Leave	4.3%
CORPORATE SERVICES	Health Professional Officers	Recovery Leave (SOA/B)	0.6%
CORPORATE SERVICES	Information Technology Officers	AL	7.6%
CORPORATE SERVICES	Information Technology Officers	LSL	11.5%

Division	Classification	Leave Type	Absence Rate 2018-19
CORPORATE SERVICES	Information Technology Officers	Personal Leave	3.4%
CORPORATE SERVICES	Nursing Staff	AL	7.3%
CORPORATE SERVICES	Nursing Staff	Personal Leave	7.2%
CORPORATE SERVICES	Professional Officers	AL	9.3%
CORPORATE SERVICES	Senior Officers	AL	8.3%
CORPORATE SERVICES	Senior Officers	Birthing Leave	0.5%
CORPORATE SERVICES	Senior Officers	Compassionate Leave	0.1%
CORPORATE SERVICES	Senior Officers	LWOP	0.4%
CORPORATE SERVICES	Senior Officers	LSL	0.5%
CORPORATE SERVICES	Senior Officers	Other	0.1%
CORPORATE SERVICES	Senior Officers	Personal Leave	4.6%
CORPORATE SERVICES	Senior Officers	Purchased Leave	0.0%
CORPORATE SERVICES	Senior Officers	Recovery Leave (SOA/B)	0.7%
HLH SYSTEM POL & RESEARC	Administrative Officers	AL	5.9%
HLH SYSTEM POL & RESEARC	Administrative Officers	Birthing Leave	2.4%
HLH SYSTEM POL & RESEARC	Administrative Officers	Compassionate Leave	0.1%
HLH SYSTEM POL & RESEARC	Administrative Officers	LWOP	3.9%
HLH SYSTEM POL & RESEARC	Administrative Officers	LSL	0.5%
HLH SYSTEM POL & RESEARC	Administrative Officers	Other	1.0%
HLH SYSTEM POL & RESEARC	Administrative Officers	Personal Leave	4.4%
HLH SYSTEM POL & RESEARC	Executive Officers	AL	7.7%
HLH SYSTEM POL & RESEARC	Executive Officers	Compassionate Leave	0.3%
HLH SYSTEM POL & RESEARC	Executive Officers	LWOP	0.1%
HLH SYSTEM POL & RESEARC	Executive Officers	Other	0.7%
HLH SYSTEM POL & RESEARC	Executive Officers	Personal Leave	1.6%
HLH SYSTEM POL & RESEARC	General Service Officers & Equivalent	AL	6.6%
HLH SYSTEM POL & RESEARC	General Service Officers & Equivalent	LWOP	0.7%
HLH SYSTEM POL & RESEARC	General Service Officers & Equivalent	LSL	3.8%
HLH SYSTEM POL & RESEARC	General Service Officers & Equivalent	Other	2.3%
HLH SYSTEM POL & RESEARC	General Service Officers & Equivalent	Personal Leave	6.3%
HLH SYSTEM POL & RESEARC	Health Professional Officers	AL	7.6%
HLH SYSTEM POL & RESEARC	Health Professional Officers	Birthing Leave	6.3%
HLH SYSTEM POL & RESEARC	Health Professional Officers	Bonding Leave	0.2%
HLH SYSTEM POL & RESEARC	Health Professional Officers	Compassionate Leave	0.1%
HLH SYSTEM POL & RESEARC	Health Professional Officers	LWOP	1.3%
HLH SYSTEM POL & RESEARC	Health Professional Officers	LSL	2.9%
HLH SYSTEM POL & RESEARC	Health Professional Officers	Other	0.1%

Division	Classification	Leave Type	Absence Rate 2018-19
HLH SYSTEM POL & RESEARC	Health Professional Officers	Personal Leave	4.6%
HLH SYSTEM POL & RESEARC	Health Professional Officers	Purchased Leave	0.3%
HLH SYSTEM POL & RESEARC	Health Professional Officers	Recovery Leave (SOA/B)	0.2%
HLH SYSTEM POL & RESEARC	Legal Officers	AL	11.3%
HLH SYSTEM POL & RESEARC	Legal Officers	Personal Leave	13.8%
HLH SYSTEM POL & RESEARC	Legal Officers	Recovery Leave (SOA/B)	1.9%
HLH SYSTEM POL & RESEARC	Medical Officers	AL	9.1%
HLH SYSTEM POL & RESEARC	Medical Officers	LWOP	0.2%
HLH SYSTEM POL & RESEARC	Medical Officers	Other	2.9%
HLH SYSTEM POL & RESEARC	Medical Officers	Personal Leave	1.7%
HLH SYSTEM POL & RESEARC	Medical Officers	Purchased Leave	0.6%
HLH SYSTEM POL & RESEARC	Nursing Staff	AL	8.1%
HLH SYSTEM POL & RESEARC	Nursing Staff	Birthing Leave	8.3%
HLH SYSTEM POL & RESEARC	Nursing Staff	Compassionate Leave	0.1%
HLH SYSTEM POL & RESEARC	Nursing Staff	LSL	1.5%
HLH SYSTEM POL & RESEARC	Nursing Staff	Personal Leave	3.6%
HLH SYSTEM POL & RESEARC	Professional Officers	AL	4.9%
HLH SYSTEM POL & RESEARC	Professional Officers	Birthing Leave	34.5%
HLH SYSTEM POL & RESEARC	Professional Officers	Personal Leave	43.9%
HLH SYSTEM POL & RESEARC	Senior Officers	AL	7.3%
HLH SYSTEM POL & RESEARC	Senior Officers	Birthing Leave	2.3%
HLH SYSTEM POL & RESEARC	Senior Officers	Bonding Leave	0.1%
HLH SYSTEM POL & RESEARC	Senior Officers	Compassionate Leave	0.1%
HLH SYSTEM POL & RESEARC	Senior Officers	LWOP	6.4%
HLH SYSTEM POL & RESEARC	Senior Officers	LSL	2.0%
HLH SYSTEM POL & RESEARC	Senior Officers	Other	0.6%
HLH SYSTEM POL & RESEARC	Senior Officers	Personal Leave	5.9%
HLH SYSTEM POL & RESEARC	Senior Officers	Recovery Leave (SOA/B)	0.4%
HLH SYSTEM POL & RESEARC	Technical Officers	AL	6.7%
HLH SYSTEM POL & RESEARC	Technical Officers	Bonding Leave	1.0%

Division	Classification	Leave Type	Absence Rate 2018-19
HLH SYSTEM POL & RESEARC	Technical Officers	Personal Leave	2.9%
OFF THE DIRECTOR GENERAL	Administrative Officers	AL	7.0%
OFF THE DIRECTOR GENERAL	Administrative Officers	Birthing Leave	1.8%
OFF THE DIRECTOR GENERAL	Administrative Officers	LWOP	0.6%
OFF THE DIRECTOR GENERAL	Administrative Officers	LSL	0.6%
OFF THE DIRECTOR GENERAL	Administrative Officers	Personal Leave	4.9%
OFF THE DIRECTOR GENERAL	Executive Officers	AL	7.9%
OFF THE DIRECTOR GENERAL	Executive Officers	Personal Leave	1.2%
OFF THE DIRECTOR GENERAL	Executive Officers	Recovery Leave (SOA/B)	0.4%
OFF THE DIRECTOR GENERAL	Senior Officers	AL	5.7%
OFF THE DIRECTOR GENERAL	Senior Officers	LWOP	1.2%
OFF THE DIRECTOR GENERAL	Senior Officers	Personal Leave	5.2%
OFF THE DIRECTOR GENERAL	Senior Officers	Recovery Leave (SOA/B)	0.6%

- (2) The number of workers' compensation claims lodged by Health Directorate staff cannot be disaggregated by financial year or business unit due to the small number of claims involved. There were a total of nine (9) workers' compensation claims for bullying and harassment lodged by Health Directorate staff in the period 1 July 2017 to 30 June 2019. The cost of these claims at 30 September 2019 is \$311,756.

ACT public service—employment data (Question No 2773)

Miss C Burch asked the Minister for City Services, upon notice, on 25 October 2019:

- (1) Can the Minister provide a breakdown of total approved leave by formal classification and division for all employees in the City Services Directorate including (a) what the total costs attributed to approved leave were and (b) total leave as a percentage of total attendance hours, for (i) 2017-18 and (ii) 2018-19.
- (2) In relation to claims for compensation due to bullying and harassment, what was the total (a) number of claims lodged in each division, (b) number of claims paid in each division and (c) cost of compensation in each division.

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

- 1) (a) The breakdown of total approved leave by formal classification and division for all employees in the City Services Directorate including the total costs attributed to the leave is as follows:

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

- 2) The number of workers' compensation claims lodged by City Services staff cannot be disaggregated by financial year or business unit due to the small number of claims involved. There were a total of six (6) workers' compensation claims for bullying and harassment lodged by City Services staff in the period 1 July 2017 to 30 June 2019. The cost of these claims at 30 September 2019 is \$111,886.
-

**Children and young people—care and protection
(Question No 2774)**

Ms Lee asked the Minister for Children, Youth and Families, upon notice, on 25 October 2019:

Can the Minister provide the number of children and young people in Out of Home Care in the financial year 2018-2019, broken down by (a) foster care, (b) kinship care, (c) residential care and (d) other Out of Home Care arrangements.

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

1. The information sought is publicly available through the *A Step Up for Our Kids - Snapshot Report October 2019* which I tabled in the Legislative Assembly on 24 October 2019.

The report is available online at:

<https://www.communityservices.act.gov.au/ocyfs/children/child-and-youth-protection-services/out-of-home-care-strategy-2015-2020/evaluation-of-a-step-up>

**Disability services—government support
(Question No 2775)**

Ms Lee asked the Minister for Disability, upon notice, on 25 October 2019:

Can the Minister provide for the years (a) 2016-17, (b) 2017-18, (c) 2018-19 and (d) 2019-20, the total (i) grant allocation by the ACT Government on disability groups or groups providing disability services, broken down by group, (ii) rent accrued by the ACT Government from disability organisations tenanted in ACT Government properties, broken down by group and (c) rent concessions granted to disability organisations tenanted in ACT government properties, broken down by group.

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

- i. A wide range of grants are provided across government portfolios, and information about them is publicly available. Disability groups or groups providing disability services are able to apply for any grant problem provided they met the grant eligibility. Grant recipients are reported in a range of publicly available sources including reports, media, online and at awards events.
- ii. This information is not able to be released due to confidential licensing agreements.
- iii. Information specific to organisations cannot be released as this information is commercial in confidence. ACT Property Group can advise that a number of different

agreements are in place including various peppercorn tenancies and community rate rental agreements.

For 2019-20, the community rate is \$148.22 per square metre per annum for Net Lettable Area (NLA) accommodation, and \$71.62 per square metre per annum for Gross Floor Area (GFA) accommodation.

Schools—traffic management (Question No 2776)

Ms Lee asked the Minister for Education and Early Childhood Development, upon notice, on 25 October 2019:

Can the Minister provide the total spend incurred by the Government between 1 January 2017 to date on the Car Parks and Traffic Safety Program for improving traffic and parking safety around ACT schools, broken down by (a) school and (b) type of infrastructure installed.

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

The total expenditure on **carparking improvements**, for the period 1 January 2017 to 1 November 2019, was \$2.236 million.

The schools where these works were undertaken include:

- Amaroo School, the carpark was reconfigured to improve carpark traffic flow, and additional car parking spaces were provided;
- Fraser Primary School, an additional staff carpark was installed, freeing up an area for parents to drop off and pick up their children safely;
- Gowrie Primary School, a gate was installed to provide children with convenient and safe access to the public carpark at the rear of the school;
- Mawson Primary School, carpark improvement works including a small addition to the number of spaces;
- Monash Primary School, the carpark was reconfigured to improve carpark traffic flow and additional car parking spaces were provided – this project includes a solar lighting trial;
- Miles Franklin Primary School, due diligence investigation of carpark was completed;
- Mt Rogers Community School, a new carpark at the rear of the school was constructed - the project incorporates a solar lighting trial;
- Namadgi School, traffic flow designs were completed;
- Palmerston Primary School, the carpark was reconfigured to improve carpark traffic flow and additional car parking spaces were provided;
- Theodore Primary School, the carpark was reconfigured to improve carpark traffic flow and relocate a disabled space to a more suitable location;
- Wanniasa Hills Primary School, the carpark was reconfigured to improve carpark traffic flow and additional car parking spaces were provided; and
- UC Senior Secondary College Lake Ginninderra, carpark driveway improvements were completed.

The total expenditure on **infrastructure improvements** delivered through Transport Canberra and City Services' Schools Program, for the period 1 January 2017 to 1 November 2019, was \$2.05 million.

The schools where these works were undertaken include:

Safer walking and cycling around schools

- Amaroo School, a refuge island was extended at one of the children's crossings and a new refuge island was constructed at the pedestrian crossing;
- Brindabella Christian College, a refuge island was constructed at the pedestrian crossing;
- Canberra Girls Grammar School, improvements were made at one of the children's crossings, including improved signage;
- Canberra Grammar School, two refuge islands and footpath connections were constructed, and a smiley face speed detection recognition sign installed;
- Florey Primary School, road signage was upgraded on the roads around the school;
- Forrest Primary School, improvements were made to the children's crossing, including additional signage and traffic calming measures;
- Garran Primary School, one of the children's crossings was upgraded with footpath and refuge island improvements and speed humps on the approach;
- Gold Creek School, the refuge island at the children's crossing was extended and additional signage installed;
- Harrison School an existing pedestrian crossing was converted to a raised pedestrian crossing;
- Holy Spirit Primary School, a refuge island was extended at the children's crossing;
- Hughes Primary School, the refuge island was widened at the children's crossing to reduce the crossing distance;
- Lyneham Primary School, the line marking and signage was upgraded in the carpark and on the surrounding roads;
- Majura Primary School, improvements were made to refuge island at the children's crossing to reduce the crossing widths;
- Mother Teresa Primary School, improvements were made to a children's crossing, including the addition of an island and additional signage, and an existing pedestrian crossing was converted to a raised pedestrian crossing;
- Namadgi School, speed humps were installed on the approach to the children's crossing;
- Ngunnawal Primary School, improvements were made to both children's crossings, including increased signage and a refuge island extension;
- Red Hill Primary School, improvements were made to two of the children's crossings, including increased signage and refuge island improvements;
- St Clare of Assisi, additional signage was installed at the children's crossing;
- Turner Primary School, a new footpath was constructed to provide direct access to the school from the shared path network;
- Wanniasa Hills Primary School, speed humps were provided near the school.

Active Streets for Schools

- Ainslie Primary School, improvements were delivered at a children's crossing, including better footpath connections;
- Amaroo School and Good Shepherd Primary School, a main footpath leading to both schools was widened to improve access and reduce conflict;
- Aranda Primary School, a new footpath was constructed to provide safer access to the school from the shared path network;
- Calwell Primary School, new pram ramps were constructed along a footpath leading to the school;
- Caroline Chisholm Primary School, speed humps were provided along the road leading to and passing the school;
- Chapman Primary School, a new footpath and pram ramps were constructed to improve access to a part way drop off and collection point near the school;
- Charnwood-Dunlop Primary School, a new speed hump was constructed adjacent to the school;
- Curtin Primary School and Holy Trinity Primary School, an old footpath was replaced and widened;
- Evatt Primary School, a new footpath was constructed to provide direct access to the school and additional bike parking facilities were installed;
- Garran Primary School, a new footpath was constructed to provide access to a part way point near the school and the bike storage facilities were relocated to a safer location;
- Harrison School, a new path connection was constructed to improve access across a dirt section at the back of the school;
- Holy Trinity Primary School, two new footpaths were constructed to improve access into the back of the school;
- Hughes Primary School, a new footpath was constructed to provide direct access into the school's bike storage facility;
- Lyneham Primary School and Brindabella Christian College, a new footpath was constructed near the school to improve access for children;
- Maribyrnong Primary School, a new footpath was constructed, and additional bike parking facilities provided at the school;
- Mother Teresa Primary School, a children's crossing was relocated to improve access and increase safety for children;
- Telopea Park School, a new footpath was constructed to provide better access to the school from Telopea Park;
- Wanniasa Primary School, a new footpath was constructed to provide access to the school from the adjoining carpark at the sport ovals.

**Economy—defence industry
(Question No 2777)**

Ms Le Couteur asked the Minister for Trade, Industry and Investment, upon notice, on 25 October 2019 (*redirected to the Acting Minister for Trade, Industry and Investment*):

- (1) Which industries receive (a) industry-specific support programs, (b) services or (c) activities under the portfolios of (i) Trade, Industry and Investment and (ii) Advanced Technology and Space Industries.
- (2) What (a) programs, (b) services and (c) activities does the ACT Government provide to support the Canberra region defence industry and which of these are specific to the defence industry.
- (3) What is the total annual cost of the (a) programs, (b) services and (c) activities, that are specific to the defence industry.
- (4) Under which Budget items and initiatives are the programs referred to in parts (3) (a), (b) and (c) funded.
- (5) What is the total staffing associated with the programs, services and activities that are specific to the defence industry.

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

- (1) The ACT Government has identified sectors of the ACT economy as key capability areas in which Canberra has strengths and a global competitive advantage. These sectors include space and spatial technology, defence, agri-technology and plant sciences, cyber security; and healthy and active living, renewable energy and education.
- (2) The following programs, services and activities support the defence industries in the ACT:
 - The Priority Investment Program (PIP) supports all key capability areas.
 - The ACT Government's Defence Industry Advisory Board Defence Ambassadors, Defence Ambassadors advocates.
 - The ACT Government also undertakes promotional and advocacy activities to support the defence, civil space and cybersecurity industries.
- (3) Funding is spread across key capability areas and is not specific to the defence industry. The Defence Industry Advisory Board is remunerated as per the Remuneration Tribunal Determination 5 of 2019 and is expected to cost \$121,225 for 2019-20.
- (4) The Defence and Local Industry Advocacy budget is part of the 2017-18 budget initiative *More and better jobs-supporting Canberra businesses to diversify, grow and innovate*.
- (5) It is not possible to identify staffing specifically related to defence industry support. The Industry and Investment team comprises nine FTEs that support industry development program and policy activities across key capability areas.

Schools—heritage assets (Question No 2778)

Ms Le Couteur asked the Minister for Education and Early Childhood Development, upon notice, on 25 October 2019:

- (1) How many schools have been identified as having heritage places or objects on site.
- (2) How many of the heritage listed objects or places on school sites are scarred trees or other significant Ngunnawal artifacts.
- (3) Do each of these schools have a site-specific information sheet regarding the significant place or object; if not, why not.
- (4) Do each of these schools have a colour copy of a plan showing the location of any registered places or objects on display in their main foyer; if not, why not.
- (5) How many schools that have identified heritage places or objects have a current conservation management plan.
- (6) Have these been submitted annually as per the Education Directorate's "Heritage Assets Located on School Sites" fact sheet.
- (7) Did the Education Directorate submit a three yearly heritage report in 2017 as required under the Heritage Act.
- (8) Why does the "Contractor Induction checklist" not have an indicator for heritage asset awareness and management (version reviewed in May 2017).
- (9) What other measures have been taken to prevent any further unauthorised felling of Aboriginal scarred trees on school sites (in addition to the development of a Procedural Guideline on Conservation and Management of Heritage Assets on School sites, the revised Contractor Induction Checklist, and the SET paper outlining actions taken or to be taken).

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

- 1) Three public schools contain heritage listed buildings; four public schools have trees registered for heritage value or ecological value, and six public schools are located within heritage registered housing precincts and environs.
- 2) The Wanniasa Spook Tree was the only scarred tree located on a public school site and was removed due to contractors' administrative error in 2017.

Harrison School (P-10) and Palmerston District Primary School contain heritage registered trees of landscape and ecological value.

Arawang Primary School has a collection of artefacts on display in the main administration entrance foyer area. The Directorate is currently working with the school to engage with ACT Heritage to assess suitability for registration.

- 3) Sites which have heritage architecture have a final or draft Conservation Management Plan which provide site specific information. Sites that contain registered trees have been provided with the Heritage approved registration document and a location plan for display in the main entrance of the school.
- 4) Schools containing heritage listed buildings have copies of the draft and final Conservation Management Plan as noted above. The Directorate will work with the respective schools to develop a suitable plan for display in the respective main entrances.

Of the four sites containing heritage listed trees two are covered by existing Conservation Management Plans and the remaining two schools have been provided with plans for the purposes of displaying in the maintenance foyer area of each school.

- 5) Of the schools which have heritage listed buildings two have Heritage approved Conservation Management Plans and one school has a draft Conservation Management Plan completed in June 2017. A revised Conservation Management Plan is currently being developed for Ainslie School to reflect current condition of the heritage buildings.

Schools containing only heritage listed trees do not have a Conservation Management Plan.

- 6) The “Heritage Assets Located on School Sites” fact sheet was a draft document that was not adopted by the Education Directorate. The requirement for an annual review of conservation management plans was also not adopted and is not required under the Heritage Act, which requires three yearly reviews. The remaining factsheet content is being developed into an additional module for inclusion in the School Management Manual in 2020, which will include the Heritage Act requirements for the 3-yearly review of conservation management plans. As an interim measure heritage reports in the form of Conservation Management Plans and approved Heritage Register documents were issued to the relevant schools in October 2019.
- 7) Under the Heritage Act 2004, Section 108 a Conservation Management Plan must be submitted to the Heritage Council every three years beginning in 2014. In Section 108 item (3), the heritage report/Conservation Management Plan “does not need to include details about a heritage place or object if details ... were included in the previous heritage report to the council” i.e. if the Conservation Management Plan has not changed it can remain in place. Subsequently the only Conservation Management Plan to be updated and resubmitted in 2017 was for Giralang Primary School architectural assets.
- 8) The “Contractor Induction checklist” was updated in May 2017 to raise awareness of heritage assets located on school sites.
- 9) The Directorate is currently developing a data base of registered and non-registered culturally modified trees. Parks and Conservation will assist with confirming how these trees were scarred and recommend maintenance requirements moving forward.

ACT public service—employment (Question No 2779)

Ms Le Couteur asked the Chief Minister, upon notice, on 25 October 2019
(*redirected to the Acting Chief Minister*):

- (1) Does the ACT Government have a public service-wide strategy or program to support the employment in the ACT Public Service of ex-prisoners and/or people leaving long term unemployment; if so, can the Minister provide details.
- (2) Do any agencies have positions reserved for ex-prisoners and/or people leaving long term unemployment; if so, can the Minister provide details.

- (3) Does the ACT Government have an estimate or data on the number of ACT Public Service positions that do not require post-secondary qualifications; if so, (a) how many positions and (b) in which agencies.

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

1. In May 2018, the ACT Public Service (ACTPS) released guidance on: *Employment of People who are Ex-Detainees, Parolees or Others With Serious or Extensive Criminal Histories*.

The guidance supports the 2016 Chief Ministers' Statement of Ambition which identifies that equity and inclusion are cornerstones of the ACT Government and reflect the value of Canberrans. The purpose of the guidance is to establish a risk management approach to the employment in the ACTPS of people who are ex-detainees, parolees or others with serious or extensive criminal histories.

Section 68(2) of the *Public Sector Management Act 1994* provides that the ACTPS has the responsibility of ensuring that all people it employs are capable of complying with the values and code of conduct to maintain the trust of the Government and the community – and that a risk management approach should be applied when assessing these applications for employment. The guidance:

- outlines that there is clear evidence that peoples' lived experiences can have a positive contribution to their effectiveness in relating to members of the community who access government services (for example, peer workers in health services such as alcohol and drug rehabilitation);
- is based on national and international literature on corrections showing that detainees are confronted with an extensive range of disadvantages and obstacles to re-entry into society as positive contributors;
- outlines that applications for employment from people who are ex-detainees, parolees or others with serious or extensive criminal histories should not be automatically dismissed; and
- offers actions to verify the suitability of applicants such as liaison with managers of offender rehabilitation programs (such as Throughcare); discussions with parole officers; discussions with any other professional or personal referees the applicant nominates; or meeting with the applicant prior to any decision on selection regarding their criminal history in order to assess suitability.

An example of the ACT Public Service employing ex-prisoners and/or people leaving long term unemployment is the ACT Corrective Services' *Transitional Employment Opportunities Program* (the Program), which aims for ex-detainees to obtain and maintain permanent employment upon their return to the community. Detainees identified as potentially suitable for external employment positions are encouraged to undertake relevant work experience and Vocational Training whilst at the Alexander Maconochie Centre.

Over the past 12 months, nine detainees participated in the Program, and eight of the participants continued to maintain employment post-release. The types of employment undertaken by detainees include construction and builders labouring, carpentry, automotive mechanics, spray painting, tyre fitting, traffic control, horticulture, gardening and landscaping as well as several administrative roles.

The Program is further supported by other initiatives in the Service, for example ACT Corrective Services is collaborating with the Transport Canberra and City Services Directorate and the Environment, Planning and Sustainable Development Directorate to identify suitable opportunities to employ detainees or ex-detainees.

2. The ACTPS does not reserve such positions, however when employing, the merit principle is used, meaning the best person for the job will be made an offer following a selection process. The ACTPS does offer support to people when applying for positions, including for people with Disability, and Aboriginal and Torres Strait Islander employment, particularly in entry level programs. Support is available to employers through the *Guidance on the Employment of People who are Ex-detainees, Parolees or Others with Serious or Extensive Criminal Histories*.
3. The current HR system does not hold data about post-secondary requirements for positions in the ACTPS.

Transport Canberra—bus timetable (Question No 2780)

Ms Le Couteur asked the Minister for City Services, upon notice, on 25 October 2019 (*redirected to the Minister for Transport*):

- (1) Prior to Network19, how many (a) 300 series buses were scheduled between Woden and Civic on each weekday morning peak, and afternoon peak, (b) 300 series buses were scheduled between Tuggeranong and Civic on each weekday morning peak, and afternoon peak, (c) 300 series buses were scheduled between Civic and Belconnen on each weekday morning peak, and afternoon peak and (d) 200 series buses were scheduled between Civic and Gungahlin on each weekday morning peak, and afternoon peak.
- (2) Under Network19, how many (a) R4 buses are scheduled between Woden and Civic on each weekday morning peak, and afternoon peak, (b) R4 series buses are scheduled between Tuggeranong and Civic on each weekday morning peak, and afternoon peak, (c) R5 buses are scheduled between Woden and Civic on each weekday morning peak, and afternoon peak, (d) R5 series buses are scheduled between Tuggeranong and Civic on each weekday morning peak, and afternoon peak, (e) rapid buses are scheduled between Civic and Belconnen on each weekday morning peak, and afternoon peak and (f) Light Rail services are scheduled between Civic and Gungahlin on each weekday morning peak, and afternoon peak.

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

- (1) Prior to Network 19, there were:
 - a. 29, 300 series buses scheduled between Woden and Civic on each weekday morning peak and 30 scheduled in the afternoon peak;
 - b. 26, 300 series buses scheduled between Tuggeranong and Civic on each weekday morning peak and 30 scheduled in the afternoon peak;
 - c. 29, 300 series buses scheduled between Civic and Belconnen on each weekday morning peak and 29 scheduled in the afternoon peak; and

- d. Eight 200 series buses scheduled between Civic and Gungahlin on each weekday morning peak and 38 scheduled in the afternoon peak.

(2) Under Network 19, there are;

- a. 40, R4 buses are scheduled between Woden and Civic on each weekday morning peak, and 24 scheduled in the afternoon peak;
- b. 23, R4 series buses are scheduled between Tuggeranong and Civic on each weekday morning peak, and 24 scheduled in the afternoon peak;
- c. 12, R5 buses are scheduled between Woden and Civic on each weekday morning peak and ten scheduled in the afternoon peak;
- d. 12, R5 series buses are scheduled between the Tuggeranong Valley and Civic on each weekday morning peak and ten scheduled in the afternoon peak;
- e. 57 rapid buses are scheduled between Civic and Belconnen on each weekday morning peak and 47 scheduled in the afternoon peak; and
- f. 17 Light Rail services are scheduled between Civic and Gungahlin on each weekday morning peak and 22 scheduled in the afternoon peak.

There are 298 R4 services per day in the new network (this is based on a single day from last week and includes all directions, long and short trips).

Crime—driving infringement notices (Question No 2781)

Mr Milligan asked the Minister for Police and Emergency Services, upon notice, on 25 October 2019:

- (1) In relation to correspondence received from the Minister's office on 30 July 2019 regarding driver distraction and tuning your radio while driving, can the Minister explain the reasoning behind why "tuning your radio" is included under the banner of driver distraction, for which drivers can be fined up to \$470 and three demerit points.
- (2) Can the Minister explain the definition of "tuning your radio" relating to driver distraction.
- (3) Does the "tuning your radio" definition include changing radio stations or volume using the designated buttons on the car steering wheel.
- (4) How do police officers identify that someone is tuning their radio while driving.
- (5) Can the Minister detail what infringement notices were issued in the 2018 19 financial year regarding driver distraction.
- (6) Can the Minister detail how many of the infringements referred to in part (5) were relating to tuning a car radio.

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

Addressing the issue of driver distraction is a high priority for the ACT Government. The ACT is committed, through the Territory's Road Safety Strategy 2011-20, to the safe

systems approach to road safety which incorporates a reliance on responsible road user behaviour but acknowledges that human error occurs.

Driver distraction is any action that takes a driver's attention away from the road or impacts their driving ability. Tuning your radio along with tasks such as eating while driving can distract a driver from the road. Any activity that distracts a driver can result in higher speeds, lane deviations, and a delay in reaction time.

The penalty referenced is specifically for mobile device use which includes a mobile phone or any other wireless hand-held or wearable device designed or capable of being used for telecommunication, but does not include a CB radio or any other two-way radio.

There are a number of offences that relate to conduct that can lead to driver distraction offences. These include:

Offence	Penalty from 1 November 2019
Drive using a mobile device	infringement notice penalty of \$480 and 3 demerit points
Drive using a mobile device for messaging, social networking, mobile application or accessing the internet	infringement notice penalty of \$589 and 4 demerit points
Drive vehicle with person/animal in lap	infringement notice penalty of \$203
Drive vehicle with TV/visual image visible to the driver or image likely to distract	infringement notice penalty of \$249
Drive vehicle without a clear view	infringement notice penalty of \$203
Drive without proper control of vehicle	infringement notice penalty of \$297

Tuning your radio is not illegal unless it causes you not to have proper control of your vehicle, or if you are using your mobile device as a radio and changing channels or volume requires you to touch your mobile device. However, if using the radio causes you not to have proper control of a vehicle, you can be charged with that offence. ACT Policing members can identify a person tuning a radio based on a number of factors which include officer observations of driving conduct, admissions of the driver and witness statements.

Below is the number of infringement notices and cautions issued in 2018-19 financial year (to 30 October 2019) for offences that relate to actions that cause driver distraction:

Number of Traffic Infringement Notices 2018-19 financial year	
Offence	Total
Drive using a mobile phone	988
Driver using mobile phone for messaging, social networking, mobile application or accessing internet	290
Drive vehicle with person/animal in lap	4
Drive vehicle with TV/Video image visible	1
Drive vehicle with TV/Video image likely to distract	0

Number of Traffic Infringement Notices 2018-19 financial year	
Offence	Total
Drive vehicle without a clear view	8
Drive without proper control of vehicle	41
Total	1332

Number of Cautions issued 2018-19 financial year	
Offence	Total
Drive using a mobile phone	251
Driver using mobile phone for messaging, social networking, mobile application or accessing internet	66
Drive vehicle with person/animal in lap	2
Drive vehicle with TV/Video image visible	1
Drive vehicle with TV/Video image likely to distract	2
Drive vehicle without a clear view	2
Drive without proper control of vehicle	13
Total	337

Health—Yerrabi electorate (Question No 2782)

Mr Milligan asked the Minister for Health, upon notice, on 25 October 2019:

- (1) What is the full range of health and health-related services provided by the ACT Government in the Yerrabi electorate.
- (2) What health and health-related services within the electorate of Yerrabi are operated by (a) ACT Health and (b) other ACT Government Directorates.
- (3) Are there any other health and health-related services that are funded by the ACT Government, but delivered by other agencies.
- (4) What outpatient services are provided by ACT Health in the electorate of Yerrabi and for each service (a) where are they located, (b) what are the respective hours of operation, (c) what are the staffing levels (full-time, part-time and casual) and (d) how many administrative or executive staff are employed.
- (5) What transport assistance is available for patients in Yerrabi to access ACT Health services in different parts of the ACT.

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

(1) The following services are provided in the electorate of Yerrabi:

- The Gungahlin Walk-in Centre (WIC) provides a range of services for minor injury and illness, such as cold and influenza, cuts and bruises, minor infections and wounds, sprains and strains and skin conditions. These services are provided by Registered Nurses and Nurse Practitioners working within the WIC Model of Care, Clinical Treatment Protocols and pathways.
- The Community Care Program (CCP) offers clinical nursing and Allied Health Services within Community Health Centres across the ACT, including the electorate of Yerrabi. Services include wounds, stoma and drain management, palliative care, continence care, podiatry, physiotherapy, occupational therapy, nutrition and social work. These services are delivered in Community Health Centres, including Gungahlin Community Health Centre with a limited home visiting service available.
- Canberra Health Services provides oral health services to eligible clients including preventative dental interventions and health promotion, emergency dental care, restorative and prosthetic dental care and some orthodontic interventions.
- The Gungahlin Mental Health Team (GMHT), a dedicated Adult Community Mental Health Team located in the Gungahlin Community Health Centre (GCHC). The GMHT provides specialist mental health assessment and treatment services for people who live within the Gungahlin catchment area. The services are provided within a multidisciplinary model for people with moderate to severe mental illness. This includes the provision of clinical management, assessment, treatment and consultation services for adults aged between 18 and 65 years within the Gungahlin catchment area. GMHT provide clinical management to voluntary clients as well as people who may be subject to mental health orders. The GMHT clinicians attend home visits or community presentations as well as providing clinic-based services within the GCHC.
- There are a number of other Mental Health, Justice Health and Alcohol and Drug Services provided across the ACT, including in Yerrabi.
- Canberra Health Services provide a Diabetes Service within the electorate of Yerrabi. The service provides a variety of diabetes services which include; group programs for people with pre-diabetes, a group program for pregnant women diagnosed with gestational diabetes, individual and group education programs for people with diabetes and their carers and multidisciplinary medical, nursing and allied health services for adults and paediatric clients.
- The Women Youth and Children Community Health Program offers Maternal and Child Health Services within Community Health Centres across the ACT, including the electorate of Yerrabi. Services include Childhood Asthma Education Service, Early Childhood Immunisation Service, Early Parenting Counselling Service, Integrated Multi-agencies for Parents and Children Together (IMPACT) program, Maternal and Child Health (MACH) Nursing Service – child health clinics, universal home visits, drop-in clinics, new parent groups, sleep groups for various ages, Early days groups, Parenting Enhancement program, Canberra Maternity Options appointments, Nutrition Service – both groups and individual appointments, Orthoptic Secondary Screening Service, Physiotherapy Service – groups and individual appointments, and the Women's Health Service.
- In addition, Women Youth and Children Community Health Programs provides school-based services, including Health Access at School Service, High School Immunisation Service, Kindergarten Health Check Service and School Youth Health Nurse Service.

- Canberra Health Services provides a Genetics Service. The service offers clinical genetic consultations, genetic counselling, risk assessment, education, genetic testing, and medical advice and management, as well as psychological support to individuals and their family members with a personal and or family history of a genetic condition or a suspected genetic condition.
- The Health Protection Service (HPS) manages risks and implements strategies for the prevention of, and timely response to, public health incidents for the whole of the ACT, including the electorate of Yerrabi. This is achieved through a range of regulatory and other activities relating to areas such as food safety, communicable disease control and immunisation, environmental health, emergency management, pharmaceutical products and services, tobacco control and analytical services.

(2) (a) The Gungahlin WIC, GCHC, CCP and HPS.

(b) The following health related services are delivered in ACT schools in the electorate of Yerrabi:

- The School Youth Health Nurse Program – co-funded by Canberra Health Services and the Education Directorate, that provides access to a School Youth Health Nurse program in all ACT government high schools. In Yerrabi this includes Amaroo School, Gold Creek School, Harrison School and University of Canberra High School Kaleen.
- The Healthcare Access at School Program – delivered as a partnership between Canberra Health Services and the Education Directorate to provide support for students with complex medical needs in ACT government schools. This program is accessible to students in all ACT public schools as needed including schools in the Yerrabi electorate.

(3) Communities@Work operates from Gungahlin Community Centre (in addition to other locations) and provides health related services under the Community Assistance and Support program. ACT Health also funds approximately 70 organisations that provide health related services across all electorates, including Yerrabi.

(4)

Name of Service	(a) Location	(b) Operating Hours	(c) Staffing Levels	(d) Administrative/Executive staff
Gungahlin Community Health Centre (GCHC)	57 Ernest Cavanagh Street, Gungahlin	Hours of operation at the health centres are 8:30am to 5:00pm. Limited services are available on the weekends and public holidays. A limited nursing service is available after hours.	Staffing levels within the GCHC is variable and dependent on demand for services.	There are approximately six FTE administration staff based at GCHC. Health Centre administration staff provide reception and administration support to all services located within the GCHC - this includes the WiC. There are no Executive staff based at GCHC.

Name of Service	(a) Location	(b) Operating Hours	(c) Staffing Levels	(d) Administrative/Executive staff
Gungahlin WIC	57 Ernest Cavanagh Street, Gungahlin (co-located with the GCHC)	7:30am - 10:00pm, 365 days of the year.	1 FTE Clinical Nurse Manager 6.79 FTE Advance Practice Nurses 2.5 FTE Nurse Practitioners 1 Physiotherapist across the ACT's 3 WICs	
Gungahlin Mental Health Team	57 Ernest Cavanagh Street, Gungahlin (co-located with the GCHC)	8:30am – 4.50pm, Monday to Friday during normal business hours.	3 FTE Registered Nurses 6 FTE Health Professionals 1 FTE Allied Health Assistants 2.2 FTE Psychiatrists/Registrars	1 FTE Administration
Mental Health Services for People with Intellectual Disability	57 Ernest Cavanagh Street, Gungahlin (co-located with the GCHC)	8:30am – 4.50pm, Monday to Friday during normal business hours.	1 FTE Registered Nurse 2 FTE Health Professionals 2.2 FTE Psychiatrist	0.75 FTE Administration
Alcohol and Drug Services - Counselling	57 Ernest Cavanagh Street, Gungahlin (co-located with the GCHC)	Approx. four days per week can vary depending on demand.	0.8 FTE Health Professional	
Diabetes Service	57 Ernest Cavanagh Street, Gungahlin (co-located with the GCHC)	Hours of operation at the health centres are 8:30am - 5:00pm	0.2 FTE Endocrinologist 1 FTE Dietitian 10.8 FTE Diabetes Educator	
ACT Genetics Service	57 Ernest Cavanagh Street, Gungahlin (co-located with the GCHC)	Clinic once a fortnight. Hours of operation 9:00am – 4:00pm	0.1 FTE Health Professionals	
Women Youth and Children Community Health Programs (WYCCHP)	57 Ernest Cavanagh Street, Gungahlin (co-located with the GCHC and the Child and Family Centres along with home visiting service)	Service hours are variable dependent on location. Hours of operation at the health centres are 8:30am – 5:00pm	Nursing and Midwifery staffing levels is variable dependent on service demand. WYCCHP Nursing and Midwifery staff across the ACT equates to 106.9 FTE. Allied Health 4 FTE.	

Name of Service	(a) Location	(b) Operating Hours	(c) Staffing Levels	(d) Administrative/Executive staff
Women Youth and Children Community Health Programs - school-based services	Gold Creek High School, Harrison High School, Amaroo High School, Canberra College, Kaleen High School, Kingsford Smith High School, Melba Copland Secondary School, Campbell High School, Canberra High School Lyneham High School. Kindergarten Health Check services are provided in all Primary Schools within the electorate of Yerrabi	Service hours are variable dependent on location.	8 FTE School Health Nurses working a range of hours on a rotating roster across the ACT. 5.67 FTE School Youth Health Nurses working a range of hours on a rotating roster across the ACT.	

As the CCP provides services within the electorate of Yerrabi to clients in their home, staffing levels and location are variable dependent on service demand. A limited nursing service is available after hours.

- (5) Community Transport is provided by various community organisations in the ACT. The Canberra Metro light rail service is accessible along with other public transport options and Transport Canberra's Flexible Bus Service is available to transport eligible people to Calvary Public Hospital Bruce and University of Canberra Hospital.

Housing—tenants advice service (Question No 2783)

Mr Parton asked the Minister for Housing and Suburban Development, upon notice, on 25 October 2019 (*redirected to the Attorney-General*):

- (1) Why was a decision made to tender for tenant's advice service.
- (2) Who decided to open for tender tenant's advice services.
- (3) Has anyone involved with the decision to tender for tenant's advice services declared a conflict of interest.

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

- (1) The last procurement process was conducted in 2015, and the Territory must ensure value for money is being delivered.

- (2) The decision to conduct a tender process for the Tenants Advice Service was made by the Justice and Community Safety Directorate Director-General, as trustee for the ACAT Trust Account.
 - (3) No.
-

**Schools—property damage
(Question No 2784)**

Mrs Kikkert asked the Minister for Education and Early Childhood Development, upon notice, on 25 October 2019:

- (1) In relation to the answer to question on notice No 2765 in which the Education Directorate incurred \$81 569 in property damage costs relating to Lyneham High School over the period of the 2018-19 and 2019, can the ACT Government provide a detailed breakdown of the cost of the damages that were incurred, including (a) dates, (b) the number of incidents, (c) the nature of damages and (d) whether damages were incurred by students, staff or outsiders.
- (2) Was there any ability to claim costs under an insurance policy; if not, why not; if so, what was the reason behind the decision not to make a claim.
- (3) What is the breakdown of the costs (a total of \$700 and 2 hours completion time) incurred in answering question on notice No 2765.

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

- 1) The Directorate has incurred \$91,208.61 in property damage costs relating to Lyneham High School over the period. The variance from the Question on Notice No 2765 of \$81,569 is because of the claim being finalised after the Question on Notice. A breakdown of the costs has been provided in Attachment A.
 - a) Dates of the incidents were 17 and 18 May 2019.
 - b) There have been two incidents during the period of 2018-19 and to the date of this question on notice.
 - c) The nature of the damage consisted of:
 - 17 May 2019 vandalism damage to classrooms, classroom furniture and the upstairs corridor.
 - 18 May 2019 fire hoses turned on and left running and smashed toilets in the boys' bathroom located in the downstairs corridor.
 - d) It is understood that the damage was caused by minors.
- 2) The ACT Insurance Authority accepted property damage costs of \$91,208.61. The Directorate paid an insurance excess of \$25,000 and received an insurance settlement of \$66,208.61.
- 3) The breakdown of the costs of \$698.62 and 2 hours completion time is outlined in Attachment B. There was an omission in the response to QON 2765 with the input minutes. These should have read 525 input minutes, the total cost of \$700 remains correct.

Attachment A

Item	Cost
Asbestos sampling, furniture relocation and storage	\$6,076.52
Carpet replacement	
Toilet replacement	
Ceiling replacement	
Glass replacement	
Vinyl tile removal	\$62,145.33
Transport and traffic management	\$12,639.16
Labour hire - to set up chairs for student info session post incident	\$1,494.54
1 x Static Guard (19/05/19 - 28/05/19) Security was engaged to maintain site security afterhours whilst repairs were being undertaken	\$7,178.42
Replacement of damaged teaching resources	\$1,674.64
Total	\$91,208.61

Attachment B**Question on Notice Costing Sheet**

Notice paper	38
QoN reference number	2765

	Input minutes	Cost
ASO3		\$ -
ASO4	100	\$ 85.89
ASO5		\$ -
ASO6		\$ -
SOGC	200	\$ 247.28
SOGB		\$ -
SOGA	200	\$ 305.58
SES1	15	\$ 32.33
SES2	10	\$ 27.54
SES3		\$ -
Total	525	\$ 698.62

**Arts—installation costs
(Question No 2785)**

Mrs Kikkert asked the Minister for the Arts, Creative Industries and Cultural Events, upon notice, on 25 October 2019 (*redirected to the Acting Minister for the Arts, Creative Industries and Cultural Events*):

What was the breakdown of total costs for the art installations of the (a) Owl, 2011 by Bruce Armstrong, and (b) Little Eagle Glyph, 2019 by GW Bot.

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

(a) *Owl*, 2011 by Bruce Armstrong costs:

Design/Fabrication	\$400,000
Engineering/Installation	\$48,250
Total	\$448,250 ex GST

(b) *Little Eagle Glyph*, 2019 by GW Bot costs:

Design/Fabrication	\$124,098
Engineering/Installation	\$18,570
Total	\$142,668 ex GST

Municipal services—playgrounds (Question No 2786)

Mrs Kikkert asked the Minister for City Services, upon notice, on 25 October 2019:

What (a) date was the playground located at the corner of Birrell Street and Knaggs Crescent in Page completed and open for public use and (b) is the total breakdown of costs for the construction of the playground.

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

- (a) The new playground equipment was open for use in mid-2017.
- (b) The costs for the work and equipment were in the order of \$30,000.

Parking—Belconnen (Question No 2787)

Mrs Kikkert asked the Minister for Urban Renewal, upon notice, on 25 October 2019:

Will public parking developed at the development site block 17 section 152 in Belconnen be required to provide, at minimum, an equal number of parking spaces to the existing car park.

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

Block 17, Section 152 Belconnen is currently a paid car park, which is leased and managed by the ACT Government. It provides 165 unrestricted bays and three disabled bays. The site offers a mixture of three hour maximum and whole day paid parking. The site is listed for release in 2019-20 as part of the Indicative Land Release Program.

Once the block is sold, the successful buyer will be required to submit a Development Application consistent with section 2.5 of the Territory Plan Belconnen Precinct Map and Code, which includes a requirement for the existing number of car parking spaces to be retained on the site for public use. The Belconnen Precinct Map and Code is available on the ACT Legislation Register: <https://www.legislation.act.gov.au/ni/2008-27/Current>.

**Roads—traffic management
(Question No 2788)**

Mrs Kikkert asked the Minister for Roads and Active Travel, upon notice, on 25 October 2019:

Can the ACT Government provide a timeline of the tender process for the installation of traffic lights at Southern Cross Drive intersections (with Ross Smith Crescent and also Chewings Street), including the (a) deadline for tender confirmation and (b) estimated commencement date for works.

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

- a) The new traffic signals at the Southern Cross Drive's intersections with Ross Smith Crescent and Chewings Street is expected to be tendered for design in early 2020.
 - b) Construction is expected to commence in late 2020.
-

**ACT Policing—family violence risk assessment tool
(Question No 2789)**

Mrs Kikkert asked the Minister for Police and Emergency Services, upon notice, on 25 October 2019:

- (1) In relation to the Australian Institute of Criminology's review on the Family Violence Risk Assessment tool (FVRAT), what were the original 37 assessment items, given the revised FVRAT will reduce the total number of assessment items to the 10 most significant items, and can a copy of the original FVRAT be provided as an attachment to the answer.
- (2) When will the revised FVRAT be implemented.
- (3) What was the total cost of the study and review on the FVRAT by the Australian Institute of Criminology, as commissioned by ACT Policing.

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

- 1. In 2017, ACT Policing implemented the Family Violence Risk Assessment Tool (FVRAT) to allow a thorough and consistent method for police to assess the risk posed by an offender to the victim in family violence settings. The original FVRAT is a 37-item tool used by ACT Policing when responding to a report of family violence and used to inform police decisions in how to respond.

The original FVRAT consisting of the 37-assessment items has been provided as an attachment to the response.

- 2. ACT Policing is currently implementing the revised FVRAT as recommended by the Australian Institute of Criminology (AIC). It is anticipated the revised FVRAT will be implemented before the end 2020.

3. ACT Policing commissioned the AIC to conduct a validation study of the current FVRAT. There was no expense to ACT Policing as the validation study was funded completely by the AIC as part of their research into criminal justice responses to family and domestic violence.

ACT Policing is not aware of the total cost of the validation study undertaken by the AIC.

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

**Parking—Belconnen
(Question No 2790)**

Mrs Kikkert asked the Minister for Planning and Land Management, upon notice, on 25 October 2019:

- (1) Who will own and manage the public carparks at the Republic development in Belconnen which will provide 591 carparks for public use.
- (2) Does the ACT Government have any plans to work with, or will they consider working with, the private owners of the public carparks at this development to establish a Park & Ride facility.

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

- (1) I refer the Member to my previous answers to QON 2699. The 'Republic' development is required to provide 300 publicly available parking spaces on the site. This car parking will be privately-owned and management arrangements will be determined by the private owner.
- (2) The ACT Government has no current plans to establish a Park & Ride facility on Block 2, Section 200, Belconnen.

**Municipal services—crematorium facilities
(Question No 2791)**

Mrs Kikkert asked the Minister for City Services, upon notice, on 25 October 2019:

- (1) Which multicultural organisations and community groups did the ACT Government consult with about building a new publicly run crematorium at the Gungahlin cemetery.
- (2) Did the ACT Government reach out to any additional multicultural organisations and community groups to seek feedback on such a facility; if so, which organisations and community groups.
- (3) Which multicultural organisations and community groups will the ACT Government consult with as part of the design process of the facility.
- (4) What measures will the ACT Government take to ensure that the facility design will meet the needs of the diverse cultural and religious communities in the ACT.

- (5) What is the estimated date for completion of the (a) design, and (b) construction, of the facility.

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

- (1) During the comprehensive ten-week public engagement process on the review of the *Cemeteries and Crematoria Act 2003* (the Act) the ACT Government consulted with multicultural organisations on needs and preferences, in particular around cremation. Groups specifically consulted include the ACT Multicultural Advisory Council, the Canberra Interfaith Forum, the Chairperson of the Hindu Council of Australia and members of the Jain, Sikh, Hindu, Buddhist, Jewish, Islamic, Sukyo Mahikari and Brahma Kumari communities.
- (2) As above, the ACT Government spoke to a significant number of community groups during the public engagement process on the review of the Act.
- (3) The community will have the opportunity to comment on the design of the crematorium as part of the Development Application process.
- (4) The ACT Public Cemeteries Authority will be responsible for the design of the facility. The Authority's Board has diverse representation and the Authority may, as needed, undertake additional consultation. Initial consultation regarding requirements for the facility to meet specific faith needs of Hindu/Sikh community is occurring in November 2019. Further consultation with a broad range of faith groups will occur during the design phase in early-mid 2020. A stakeholder engagement plan will be developed in tandem with the project plan.
- (5) The design of the facility is expected to be completed in the first half of 2020, with the facility operational by the end of 2020.

**Schools—safety
(Question No 2792)**

Mrs Kikkert asked the Minister for Education and Early Childhood Development, upon notice, on 25 October 2019:

- (1) What measures will the Government take to address concerns of student safety and school security at Miles Franklin Primary School as a consequence of the ACT Government withdrawing the proposal for fencing around Miles Franklin Primary School and South West Evatt oval in September 2019.
- (2) Has the ACT Government considered the suggestion by local residents for the green space behind the school to be fenced in as a school security measure; if so, what (a) has been the outcome of that consideration and (b) is the indicative cost for fencing this area only.

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

- 1) The Education Directorate works with each school community to ensure the safety of students, regardless of whether a school fence is in place or not. Specific measures are implemented as risks and issues are identified.

- 2) The Government considered several options during the consultation period for the establishment of a fence at Miles Franklin Primary School. Based on the consultation conducted with the community, the fence will not be proceeding at this time. The school community can re-visit options for a fence at any stage. The Education Directorate has estimated that to fence the area within the school boundary which would include the green space to the north and west of the school will cost in the vicinity of \$200,000.

Budget—health funding (Question No 2793)

Mrs Dunne asked the Minister for Health, upon notice, on 25 October 2019:

- (1) In relation to the answer given to part (9) in question on notice No 2636, why other than a reference to a “provision”, is there no mention of the “Health Central Provision” in any of the references cited in the answer.
- (2) Why is there no detailed discussion specifically on the “Health Central Provision” in the Budget documents, given the significance of the figures that make up the “Health Central Provision”.
- (3) What now is the answer to part (11) of question on notice No 2636, in the context of the information provided at the second dot point, on the second page of the Budget estimates brief dated 20 May 2019 and titled “2019-20 Budget Summary (including summary of initiatives)”.
- (4) What (a) was the basis of, (b) was the process of derivation of and (c) was the composition of, each of the figures given in the Budget estimates brief at the reference point referred to in part (3).

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

- (1) “Health Central Provision” is a term used within Government. The “provision” referred to in the published Budget Papers is the “Health Central Provision”.
- (2) The Health Central Provision is released to the health portfolio by the ACT Government through the Budget. Expenditure decisions made by Government and Budget Policy decisions for 2019-20 are discussed in detail in Budget Paper 3, pages 107-119 and are shown in the ‘Changes to Appropriation’ tables. The total Health funding envelope offset is identified at page 77 of the 2019-20 Budget Paper 3. This identified funding that has been released for the Health Central Provision to fund the expenditure initiatives.
- (3) Decisions taken by Government include commitments funded through the Health Central Provision over the outyears (e.g. opening of the inner north Walk in Centre). The uncommitted component of the Health Central Provision is set out below.

	2020-21	2021-22	2022-23
Health Central Provision	\$26.187m	\$60.009m	\$105.041m

- (4) (a) the figures note that the Health Central Provision for outyears commencing 2020-21 are those available for health expenditure in further years.

(b) the process for calculating the original Health Central Provision is to multiply total health expenses by 4.15 per cent and then subtract indexation.

(c) The following table outlines commitments of the Health Central Provision for the past three Budget cycles:

	2020-21 \$000's	2021-22 \$000's	2022-23 \$000's
Original Health Central Provision	145,034	177,556	175,952
Allocated in 2017-18 Budget	-11,965		
Allocated in 2017-18 Budget Review	-753		
Allocated in 2018-19 Budget	-54,056	-48,214	
Allocated in 2018-19 Budget Review	-3,146	-85	
Allocated in 2019-20 Budget	-48,927	-69,248	-70,911
Balance Available	26,187	60,009	105,041

Note: the "2019-20 Budget Summary (including summary of initiatives)" document contained a typographical error which incorrectly reported the 2020-21 Health Central Provision of \$26.187 million as the 2019-20 provision and so on for the outyears.

Health—fees **(Question No 2794)**

Mrs Dunne asked the Minister for Health, upon notice, on 25 October 2019:

- (1) In relation to fees determined under section 192 of the Health Act 1993 (the Act), what was the total of fees collected during 2018-19.
- (2) In relation to interest charged on unpaid fees under section 193 of the Act, what was the total of interest charges collected during 2018-19.
- (3) What was the total of unpaid (a) fees and (b) interest charges, as at 30 June 2019.
- (4) Of the unpaid fees and unpaid interest charges as referred to in part (3), how much was outstanding for (a) less than 30 days, (b) 30-60 days, (c) 60-90 days, (d) 90-120 days and (e) more than 120 days.
- (5) How much in (a) unpaid fees and (b) unpaid interest, was written off during 2018-19.
- (6) What debt collection policies and procedures are in place in relation to the collection of unpaid fees and interest.
- (7) What sanctions are available to the Government against debtors who do not settle their accounts and on how many occasions during 2018-19 were these sanctions applied to debtors.

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

The following information relates to the ACT Health Directorate:

- (1) \$143,908.35. This amount relates mostly to scientific services provided to the ACT Coroner's Office and asbestos sample testing at the Health Protection Service.
- (2) Nil.
- (3) (a) \$38,773.40. This amount relates to invoices raised in June 2019.
(b) Nil.
- (4) (a) \$38,773.40
(b) Nil.
(c) Nil.
(d) Nil.
(e) Nil.
- (5) (a) Nil.
(b) Nil.
- (6) The ACT Health Directorate has policies and procedures in place to recover unpaid fees and interest involving:
 - (a) follow-up of debts – contact at 30-day intervals; after 90 days an instalment plan is negotiated;
 - (b) Escalation of outstanding debts – outstanding debts over \$10,000 are referred to the Government Solicitor's Office (GSO) to commence legal action;
 - (c) write-off or write down of debts – where it is impossible or uneconomical to recover the debt;
 - (d) waiver of debts – under exceptional circumstances i.e. where recovery would lead to inequity or unreasonable hardship; and
 - (e) reporting – internal reporting as well as in the annual report in the case of write-offs, write-downs and waivers.
- (7) Interest is charged on amounts over \$500 that remain outstanding after the payment due date. If debt recovery methods are not successful, then the debt can be referred to the Government Solicitor's Office (GSO) for further action. Neither of these sanctions were required in 2018-19 by the ACT Health Directorate.

The following information relates to Canberra Health Services:

(1) \$53,034,518.70

Note: This includes amounts paid to Staff Specialists and the Private Practice Fund under scheme arrangements.

(2) \$27,138.17

(3) (a) \$15,171,937.75
(b) \$181,338.55

(4)

	Fees	Interest
(a) Less than 30 Days	\$2,182,644.41	\$0.00
(b) 30-60 Days	\$1,070,982.09	\$0.00
(c) 60-90 Days	\$791,740.78	\$0.00
(d) 90-120 Days	\$1,287,243.83	\$300.00
(e) More than 120 Days	\$9,839,326.64	\$181,038.55

(5) (a) \$2,870,098.59

(b) \$5,966.65

(6) Canberra Health Services Financial Instruction 4.1 Debt Managements and Invoicing is at Attachment A.

(7) As per *Financial Instruction 4.1 Debt Managements and Invoicing*, in the event a debt remains unpaid and is over \$10,000, it can be referred to the GSO for legal action to recover. This was actioned once in 2018-19.

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

Mental health—adult mental health unit (Question No 2795)

Mrs Dunne asked the Minister for Mental Health, upon notice, on 25 October 2019:

- (1) How many patients waited for 24 hours or more for admission to The Canberra Hospital Adult Mental Health Unit (TCHAMHU) in 2018-19.
- (2) What was the data and percentage changes for (a) 2014-15, (b) 2015-16, (c) 2016-17 and (d) 2017-18.
- (3) Why has there been an increase in patients waiting for 24 hours or more for admission to TCHAMHU.
- (4) On what date did on-site works begin for the removal of ligature points in the Adult Mental Health Unit (AMHU).
- (5) On what date did the project's on-site works finish; if the works have not finished, what is their status.
- (6) What impact has the project had on the capacity of the AMHU.
- (7) Are the Minister and the Minister for Health advised when patients wait for more than 24 hours for admission to the AMHU and how is the Minister advised.
- (8) How and how frequently, is the Minister advised of information about the operations of the AMHU and other mental health facilities.
- (9) What action does Canberra Health Services take to advise the community when the capacity of a mental health facility has changed.

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

- (1) 115.
- (2) (a) 2014-15 was 108.
(b) 2015-16 was 61 - a decrease of 44 per cent on previous year.
(c) 2016-17 was 27 - a decrease of 56 per cent on previous year.
(d) 2017-18 was 57 - an increase of 111 per cent on previous year.
- (3) Between 1 July 2018 and 30 June 2019 there have been 4,670 patients presenting to Canberra Health Services (CHS) Emergency Department (ED) with a mental health type presentation. This represents an increase by 137 per cent since 2014-15.

All patients are risk assessed and admitted to the most appropriate inpatient unit for care.

It is usual practice to support extended assessment outside of an inpatient unit, in an appropriate assessment area such as the ED, where there is an expectation that following this assessment the person is likely to be able to be safely discharged home, often with community supports. However, there are occasions where despite attempts to avoid admission in this way, people remain unwell enough to require a period of care within the Adult Mental Health Unit (AMHU).

Canberra Hospital ED is the only gazetted ED in the ACT and therefore must accept and assess all consumers who present to the ED under the *Mental Health Act 2015* either under an Emergency Action (EA) or a S309 referred from the Courts.

The location of the AMHU means transport needs to be arranged to safely transfer patients from the main hospital to AMHU. This is by a car, or via an ambulance transfer if the person has been sedated. Ambulance transfers can contribute to the delay in timely transfer of patients.

- (4) The project to address ligature risks in AMHU at Canberra Hospital started in January 2018 with early investigative works to inform the methods to be used to address identified ligature risk. Thereafter the project is being delivered over three phases. On-site works for Phase 1 commenced in April 2018 and involved the removal of 40 ensuite doors within AMHU. Phase 1 and 2 works, which mainly addressed bedroom ensuite risks, have been completed.
- (5) On-site works have now progressed to the final phase (Phase 3). Phase 3 works address remaining bedroom door risks and security system upgrades. Phase 3 works commenced in July 2019 and are scheduled to be completed in AMHU by the end of November 2019.
- (6) To minimise the impact on the mental health service and consumers that would otherwise occupy the bedrooms that are impacted by the works, four rooms in administration areas of AMHU have been converted to temporary single bedrooms to allow the works to proceed without delay, and in a safe environment for consumers, staff and contractors. However, even with these additional four temporary bedrooms, bed capacity may be reduced by up to four beds due to clinical operational requirements.

- (7) No.

- (8) The Minister is kept informed by a weekly health executive meeting and ministerial briefs as required.
- (9) In preparation for the AMHU ligature minimisation works, consultation occurred with the office of the Human Rights Commission, the ACT Mental Health Consumer Network and Carers ACT. Additional information was prepared for admitted people and their families.

Budget—arts funding (Question No 2796)

Mrs Dunne asked the Minister for the Arts, Creative Industries and Cultural Events, upon notice, on 25 October 2019 (*redirected to the Acting Minister for the Arts, Creative Industries and Cultural Events*):

- (1) Why has the Government's budget accountability indicator figure remained static at 350 000 for 2019-20 and the three years prior, for key arts and program-funded organisations that are reporting a significantly increasing trend of the number of attendees to their arts events, rising to a figure of 492 767 in 2018-19.
- (2) What is the point of key arts and program-funded organisations reporting attendance figures if the Government makes no use of them.
- (3) If the Government does make use of the reported attendance figures, to what purposes are they put.
- (4) To what extent do attendance figures inform Government budget considerations; if none, why.

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

- (1) The figure is an average of attendance figures observed over a period of time prior to 2019-20. Given the unpredictability of attendance figures from year to year, which is influenced by a variety of factors including number and type of events and programs scheduled by organisations from year to year, it has remained unchanged.
- (2) These figures are used by Government as a quantitative measure of the reach and impact of arts funding in the community. The figures are part of the acquittals provided by funded arts organisations as a requirement of funding.
- (3) The figures are used as one measure of the impact of arts funding through participation and access by community members in programs and activities funded by the ACT Government.
- (4) Attendance figures are used to inform Government budget considerations on the reach of funded arts organisations and regarding access to facilities.

Health—infrastructure risks (Question No 2797)

Mrs Dunne asked the Minister for Health, upon notice, on 25 October 2019:

- (1) How many infrastructure risks in (a) Canberra Health Services and (b) ACT Health Directorate, are currently classified as (i) extreme and (ii) high.
- (2) Of the risks in part (1), how many are in (a) The Canberra Hospital, (b) Calvary Public Hospital Bruce and (c) each other location in Canberra Health Services or ACT Health Directorate.
- (3) What actions are currently being taken to address the risks in part (2) and what is the estimated cost of such action.
- (4) During which years are the actions in part (3) funded.

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

- (1) As at 4 November 2019, there are currently 31 Extreme and 362 High risks managed by Infrastructure and Health Support Services on behalf of Canberra Health Services (CHS) and ACT Health Directorate.
- (2) The following is a breakdown for each location requested;
 - a) Canberra Hospital – 25 Extreme, 163 High.
 - b) Calvary Public Hospital Bruce – nil recorded on CHS infrastructure risk register.
 - c) Off Campus locations – 6 Extreme, 199 High.

The Infrastructure Risk Register is a summary of all known building/infrastructure risks rated based on risk likelihood, consequence and asset priority rating which is derived from Strategic Asset Management Plans (SAMP). Risks are listed per building resulting in repetition of the same risk. Examples of reoccurring risk types are as follows:

- Electrical Switchboard information legends out of date/not available.
 - Refrigerant R22 phase out.
 - Unknown condition of offsite facilities.
- (3) Active programs are underway to move these risks to a target medium risk level including the Upgrading and Maintaining ACT Health Assets (UMAHA), Better Infrastructure Fund (BIF), Critical Asset Upgrades (CAU).
- In addition, all risks have a risk control action plan in place including immediate controls, linked to Business Continuity Plans, to minimise risk exposure pending implementation of permanent remediation.
- Working concurrently with the above actions, planning is underway to inform remediation works and costs in accordance with the CHS Clinical Services Plan, Campus Master Planning and overall site modernisation.
- (4) The aforementioned programs are currently funded in the financial years (FY) detailed below:
 - UMAHA funding was first allocated in FY 2016-17, and is expected for completion at the end of FY 2020-21;

- AU funding was first allocated in FY 2018-19, and is expected for completion in the FY 2021-22; and
- BIF funding appropriation is provided on an annual basis.

Future rectification works will also be informed through the master planning and campus modernisation process.

**Canberra Hospital—master plan
(Question No 2798)**

Mrs Dunne asked the Minister for Health, upon notice, on 25 October 2019:

- (1) As at the date this question was published on the Questions on Notice Paper, had the phase one report of The Canberra Hospital Master Plan been delivered; if not (a) why and (b) when will it be.
- (2) What advice or recommendations does the report give.
- (3) Will the Minister provide a copy of the report; if no, why.
- (4) Is work on track to complete the plan by June 2020; if no (a) why and (b) what is the amended target date.
- (5) Will construction of the Surgical Procedures Interventional Radiology and Emergency building (SPIRE) begin before the plan is completed and the Government finalises its strategy for the hospital campus as a whole; if yes (a) why and (b) what assessment has been made as to any risk the master plan might cause to the (i) scope or (ii) progress, of construction of SPIRE; if none, why.

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

- (1) At the date of the question, the draft Phase One report had been received by the ACT Health directorate. The final report is expected to be completed in the coming weeks.
 - (2) The draft Master Plan Framework included in the Phase One report, includes the themes and principles under which the Canberra Hospital Master Plan will proceed. The four themes developed as part of phase one include Health and Wellbeing; Social Value; Future Readiness; and Environmental Gain.
 - (3) Once the final Phase One report is completed, it will be made available to the public.
 - (4) Yes, the second phase of the project is expected to be finalised in June 2020.
 - (5) No. Construction of SPIRE is not due to commence until early 2021. The design process for SPIRE will run in parallel with the development of the Master Plan and the ACT Health Directorate is working closely with Major Projects Canberra on the development of the Master Plan.
-

**Centenary Hospital for Women and Children—upgrade program
(Question No 2799)**

Mrs Dunne asked the Minister for Health, upon notice, on 25 October 2019:

- (1) In relation to the answer given to question on notice E19-266, will the Minister provide a copy of the (a) demand modelling and (b) clinical feedback, used to inform the Centenary Hospital for Women and Children (CHWC) expansion; if not, why not.
- (2) When will planning begin for the next phase of the CHWC in anticipation of the current expanded facility reaching capacity in 2031-32.

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

- (1) The demand modelling and clinical feedback was part of a Business Case presented to Cabinet. Therefore, this information is considered Sensitive: Cabinet and is unable to be released publicly.
- (1) The ACT Health Directorate is developing a Territory-wide Health Service Plan. The Plan will identify priorities for health service development and redesign across the ACT. It will be based on a comprehensive assessment of health service needs across the care continuum on a geographic basis and for priority population groups. It will consider the range of public health services provided by Canberra Health Services inclusive of Centenary Hospital for Women and Children, Calvary Public Hospital Bruce and other organisations in the community.

**Mental health—patient transfers
(Question No 2800)**

Mrs Dunne asked the Minister for Mental Health, upon notice, on 25 October 2019 (*redirected to the Minister for Health*):

- (1) For each relevant private hospital during (a) 2017-18, (b) 2018-19 and (c) 1 July 2019 to 30 September 2019, how many patients were transferred from (i) The Canberra Hospital, (ii) Calvary Public Hospital and (iii) University of Canberra Public Hospital.
- (2) In relation to the data provided in part (1), for each relevant private hospital during (a) 2017-18, (b) 2018-19, and (c) 1 July 2019 to 30 September 2019, what did it cost to (a) transfer the patients to those private hospitals and (b) accommodate and treat the patients at those private hospitals.
- (3) What were the three most frequent reasons for making the transfers.

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

In relation to Canberra Hospital and University of Canberra Hospital:

- (1) I have been advised by Canberra Health Services that, the information sought is not in an easily retrievable form, and that to collect and assemble the information sought solely for the purpose of answering the question would require considerable resources.

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

(2) Please see response to Question 1.

(3) Please see response to Question 1.

In relation to Calvary Public Hospital Bruce:

(1)-(2)	(a) 2017-18	(b) 2018-19	(c) 2019-30 Sep 2019
(ii) Calvary Public Hospital Bruce			
(1)	3	7	0
(2)(a)	\$0 additional cost	\$0 additional cost	\$0
(2)(b)	\$10,982	\$22,103	\$0

**The above table includes information relating to public patients transferred to a private hospital as a public patient.*

(3) Calvary Public Hospital Bruce does not routinely use private hospital services for the treatment of public patients. Where Calvary has purchased private hospital beds for treating public patients the reason is service demand.

Canberra Hospital—SPIRE project (Question No 2801)

Mrs Dunne asked the Minister for Health, upon notice, on 25 October 2019:

- (1) What will be the access route for emergency vehicles to the Surgical Procedures Interventional Radiology and Emergency building (SPIRE).
- (2) Does the route mean it will (a) take longer or (b) involve more manoeuvring, for emergency vehicles to access SPIRE than accessing the existing emergency department; if yes, what risks does this pose for patients being transported in the emergency vehicles.
- (3) What consultation has or will be undertaken with nearby residents as to access by and noise from emergency vehicles on their approach to SPIRE.

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

- (1) At this stage of design planning, the proposed access route for the new state-of-the-art emergency, surgical and critical healthcare facility on the Canberra Hospital campus will be along Palmer Street and directly into the rear access ambulance hardstand.
- (2) Any difference in travel distance to the new emergency vehicle yard (compared to the existing location) will depend on the approach route and in most cases will be marginal. The new emergency vehicle yard will be designed to optimise the process of arriving and transferring patients into the Emergency Department. No abnormal vehicle manoeuvring will be required.

- (2) Stakeholder engagement and consultation with both the nearby residents and greater Canberra community has commenced. There will be opportunities for stakeholders to be informed and provide feedback into the detailed design phase of the SPIRE Project as it progresses.
-

**Health—work orders
(Question No 2802)**

Mrs Dunne asked the Minister for Health, upon notice, on 25 October 2019:

- (1) In reference to Cabinet Brief July 2019 – Canberra Health Services Infrastructure Project Overview, what is the staffing structure for each of the six divisions of the Infrastructure and Health Support Services Group.
- (2) On average, how many of the 3000 work orders per month placed through Mainpac relate to (a) The Canberra Hospital, (b) Calvary Public Hospital Bruce, (c) nurse-led walk-in centres and (d) other Canberra Health Services facilities.
- (3) What is the average time taken to complete work raised in work orders.
- (4) How many work orders were completed during 2018-19 (whether raised in that year or before).
- (5) What was the total cost of work orders completed during 2018-19.

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

- (1) Infrastructure and Health Support Services Group staffing structure is currently as follows:
 - a. Executive office and administrative support (5 FTE).
 - b. Operational Support Services (52.78 FTE) is made up of the following areas:
 - i. Security Operations
 1. Contract staff through SNP Security (not included in FTE)
 - ii. Parking and Fleet
 - iii. Residences, Switchboard and Patient Enquiries
 - iv. Mailroom
 - v. Volunteer Management
 - vi. Volunteers (excluded from FTE, approximately 600)
 - c. Facilities Management (35 FTE) includes:
 - i. Asset Management
 - ii. Planned and Reactive Maintenance
 - iii. Property Leasing
 - iv. Utilities
 - d. Logistic Support Services (231.1 FTE)
 - i. Sterilising Services
 - ii. Supply Services
 - iii. Food Services

- e. Project Delivery (17.6 FTE)
 - i. Major Projects
 - ii. Minor Works
 - iii. Accommodation Projects
 - iv. Plant and Equipment
 - v. Arts in Health
 - f. Contract Management (6 FTE)
 - i. University of Canberra Hospital Contract Management of BGIS
 - 1. Contract staff through BGIS (FTE not included)
 - ii. Domestic and Environmental Services
 - 1. Contract staff through ISS (FTE no included)
 - g. Safety and Risk, Infrastructure (5 FTE).
- (2) During the 2018-19 financial year, average work order percentage by location are as follows (note that the existing reporting systems group facilities outside of Canberra Hospital by region):
- (a) Canberra Hospital - 90.4 per cent
 - (b) Calvary Public Hospital Bruce – nil
 - (c & d) Other Canberra Health Services Facilities (this includes Nurse led walk in centres):
 - o Belconnen – 1.4 per cent (Belconnen Health Centre, Brian Hennessey House, Florey Child Health Clinic)
 - o Gungahlin – 1.4 per cent (Gungahlin Health Centre, Mitchell Sterilising, Records Storage Warehouse)
 - o North Canberra – 1.3 per cent (Dickson Health Centre)
 - o South Canberra – 0.9 per cent (Dhulwa)
 - o Tuggeranong – 1.0 per cent (Tuggeranong Health Centre, Ngunnawal Bush Healing Farm, Lanyon Family Health Clinic, Village Creek)
 - o Weston Creek – 0.9 per cent (Duffy House, Weston Creek Health Centre)
 - o Woden – 2.7 per cent (Residential Units, Phillip Health Centre)
- (3) System data is not collected in manner which allows reporting of average time taken to complete work raised in work orders. However, the completion rate for all work orders raised in 2018-19 was 95 per cent (as end of June 2019).
- (4) There was a total of 35,184 work orders completed during 2018-19.
- (5) Total cost of work orders completed during 2018-19 is \$11.925 million.

Canberra Hospital—residential accommodation (Question No 2803)

Mrs Dunne asked the Minister for Health, upon notice, on 25 October 2019:

- (1) When will the Government make an announcement of its plans to relocate the occupants of and the services provided out of Building 5 on The Canberra Hospital campus.

- (2) What consultation is being held with the clients of the various services currently located in Building 5.
- (3) What consultation is being held with (a) the NSW Government, (b) local councils in the south-east region of NSW, (c) residents in the south-east region of NSW and (d) past consumers of the residential accommodation services provided in Building 5, about the future of the residential accommodation services in Building 5.
- (4) What (a) meetings have so far been held with stakeholders about the residential accommodation service and where were they held and (b) did attendees say at those meetings.
- (5) What meetings will occur in the coming months about the future of the residential accommodation service and where will they be held.
- (6) When will the consultation process conclude; and will the Government release the feedback stakeholders gave at those meetings; if no, why.

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

- (1) On 20 September 2019, the Government announced in an all staff forum the new location of services currently operating in Building 5. These new locations include:

Service	Location
Child at Risk Health Unit	Building 3, Level 1
Client Services (Accommodation and Volunteer Services)	Building 2, Level 1 Building 3, Level 1
Tissue Viability Team	Building 3, Level 1
Staff Development Unit	Building 8 modular
Canberra Sexual Health Centre	Building 8 modular
ANU Administration, teaching and training	Building 8 modular

- (2) Consultation has occurred with staff about their business requirements. The relocation of these services will not decrease current services provided on the Building 5 site. Each business unit will be expected to liaise with their clients about changes to service locations when moving dates are confirmed. With regards the new location of the Canberra Sexual Health Centre; centre representatives have engaged with consumer groups who have provided feedback which will be taken into account during the design of the facility.
- (3) Consultation to date:
 - a) The ACT Health Directorate has raised the matter with senior officials in the NSW Ministry of Health. The Ministry of Health have no issue with the ACT not providing subsidised accommodation. Subsidised accommodation is not provided in NSW and the view of the Ministry of Health is that all NSW residents should be treated equally.
 - b) Canberra Health Services has not directly consulted with Councils in the south-east region of NSW. Local Councils should contact their State and Federal Members.
 - c) Canberra Health Services has met with over 60 consumers and carers through stakeholder engagement sessions in Goulburn, Bega, Bateman's Bay and Canberra. We have received over 1200 responses to the survey for consumers and carers who were unable to attend these sessions.

d) See answer to (3.C) above.

(4) Multiple meetings have occurred to date.

a) Stakeholder engagement to date includes:

Activity	Date
Internal stakeholders who refer to the service	31 July 2019 23 August 2019
Health Care Consumers' Association	12 September 2019
Open drop-in sessions with consumers and carers Residential Accommodation Service Goulburn Bega Batemans Bay Canberra	25 September 2019 1 October 2019 1 October 2019 2 October 2019 3 October 2019

b) Canberra Health Services engaged Communication Link, stakeholder and consultation experts to conduct the stakeholder engagement. Communication Link will consolidate the feedback into a report and provide back to Government.

(5) Further meetings will be considered once the Government has reviewed the report provided by Communication Link.

(6) Communication Link will produce a report on the findings of the stakeholder engagement process for consideration by Government. This report will be made available to the public.

Planning—Belconnen (Question No 2805)

Mrs Dunne asked the Minister for Planning and Land Management, upon notice, on 25 October 2019:

- (1) As at the date this question was published on the Questions on Notice Paper, what was the status of the proposed redevelopment of the area in Belconnen bounded by Belconnen Way, Lathlain Street, Market Street and Benjamin Way and the carpark opposite the Belconnen Markets.
- (2) Have any development applications for all or any part of the area described in part (1) been lodged; if yes (a) for which blocks and sections, (b) on what date(s) were they lodged and (c) what is their status in the approval process.
- (3) For any approved development applications on what date(s) (a) were they approved and (b) was approval communicated to the development application proponent(s).
- (4) Is the Government aware of any development timelines, whether conceptual, in draft, or in final form for any part(s) of the area described in part (1); if yes, what are those timelines.

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

- (1) The planning and land authority approved a DA for block 16, section 32 near the corner of Lathlain Street and Belconnen Way on 12 February 2019.

No redevelopment is currently planned for assets owned by the Territory.

The owner of the site has undertaken pre-DA consultation for a second stage, however no DA has been lodged. Previous approvals on sites leased by the markets, including a proposed 16 storey residential development at the corner of Benjamin Way and Belconnen Way have now lapsed.

- (2) And (3) 21 development applications have been lodged for area over the past 15 years. Note that several block identification numbers are no longer current due to amalgamations. Transmittal records that are not on file are possibly due to decisions being posted rather than emailed.

DA200308940: Lodged 29 September 2003.
Block 12 Section 31 Belconnen.
Variation to Crown Lease to allow bulky goods.
Approved with conditions 29 March 2004.

DA200501167: Lodged 18 March 2005.
Blocks 13, 14 and 20 Section 32 Belconnen.
Proposed extension of Lathlain Street to Belconnen Way, installation of two signalised intersections and associated site works.
Approved subject to conditions 5 August 2005.

DA200501167B: Lodged 10 March 2006.
Blocks 13, 14 and 20 Section 32 Belconnen.
Proposed amendments to approved application.
Approved 10 April 2006.

DA200504222: Lodged 24 December 2005.
Block 12 & 13 Section 31 Belconnen.
Erection of 1200sqm single storey building, construction of a connecting road to Lathlain Street, associated works.
Approved with conditions 3 March 2006.

DA200504222 B: Amendment Lodged 8 September 2006.
Various minor amendments to previously approved plans including a replacement substation.
Approved 15 November 2006.

DA200504222 C: administrative use – no application.

DA200504222 D: Amendment Lodged 2 February 2007.
Amendment to exterior wall colour.
Approved 9 February 2007.

DA200603044: Lodged 8 June 2006.
Block 12 Section 31 Belconnen.
Proposed signage for first choice liquor.
Approved 20 July 2006.

DA200604842: Lodged 4 October 2006.

Block 12 Section 31 Belconnen.

Proposed variation to Crown lease to allow an increase of 900m² to the maximum allowable area.

Initially refused 28 February 2007 due to parking and traffic concerns, however subsequently approved 18 July 2007 following a reconsideration application.

DA200704720: Lodged 4 October 2007.

Block 16 Section 32 Belconnen.

New carpark, landscaping.

Approved subject to conditions 4 April 2008.

DA200813434: Lodged 21 November 2008.

Block 16 Section 32 Belconnen.

Proposed three to four storey parking structure, landscaping.

Approved subject to conditions 8 April 2009.

Notice of Decision emailed to applicant 8 April 2009.

DA200915182: Lodged 2 July 2009.

Block 1 Section 198 Belconnen.

Proposed ancillary uses to existing shop.

Approved 24 August 2009.

DA200914934: Lodged 20 July 2009.

Block 12 Section 31 Belconnen.

Proposed new two storey commercial building, signage and carparking.

Approved with conditions 30 October 2009.

DA200915463: Lodged 15 October 2009.

Block 16 Section 32 Belconnen.

Proposed lease variation to include non-retail commercial use limited to 2,400sqm, shop and restaurant limited to 1,100sqm. Construction of new three commercial building with ground floor commercial and restaurants and four levels of upper level parking, signage, encroachments.

Approved subject to conditions 21 January 2010.

DA20107902: Lodged 31 May 2010.

Block 2 Section 198 Belconnen.

Proposed demolition of existing structure, construction of five storey mixed use development, two level basement carpark, new roof over existing shops, associated landscape and site works. A variation to the Crown lease to expand uses, a variation to the GFA limit to a maximum of 20,000sqm.

Approved subject to conditions 28 June 2011.

DA201017697: Lodged 6 July 2010.

Block 16 Section 198, Block 16 Section 32 Belconnen.

Proposed rainwater and wastewater treatment and reuse systems.

Approved 6 September 2010.

DA201017903, amendments A to G: Original application lodged 31 May 2010.

Block 20 Section 32 Belconnen.

Proposed mixed use development up to 10 storeys, two levels of basement parking, 171 units, removal of regulated trees, lease variation to increase the maximum gross floor area.

Approved 11 May 2012.

DA201120564: Lodged 21 October 2011.

Block 21 Section 32 Belconnen.

Proposed mixed use development of 8 and 16 storeys, two levels of basement parking, 184 units, ground floor commercial use, removal of regulated trees.

Approved subject to conditions 11 May 2012.

DA201120677: Lodged 23 September 2011.

Block 16 Section 32 Belconnen.

An additional car park level added and minor amendments to the previously approved DA200915463.

Approved subject to conditions 23 November 2011.

DA201629502: Lodged 21 October 2016.

Block 16 Section 32 Belconnen.

Proposed eight storey mixed use development, 169 units, ground floor commercial, carparking, lease variation to increase maximum GFA for shop and restaurant limited to 1,200sqm.

Approved subject to conditions 4 April 2017.

DA201834240: Lodged 10 September 2018.

Block 16 Section 32 Belconnen.

Proposed two storey commercial building with basement parking, lease variation to permit bulky goods retailing limited to 2,721sqm.

Approved subject to conditions 12 February 2019.

- (4) As outlined at point (1), it is understood the lessee of the Belconnen Fresh Food Markets intends to lodge a development application for the redevelopment of the main market buildings before the end of 2019.

Canberra Hospital—infrastructure (Question No 2806)

Mrs Dunne asked the Minister for Health, upon notice, on 25 October 2019:

- (1) What were the outcomes of the stakeholder consultation in July/August 2019 to develop a replacement solution for Building 5 at The Canberra Hospital, in relation to Cabinet Brief July 2019 – Canberra Health Services Infrastructure Project Overview.
- (2) What stakeholders were consulted.
- (3) What consultation methodology was used.
- (4) To what extent did the consultation outcomes inform development of a “more contemporary model of accommodation provision”.
- (5) What is the new “more contemporary model of accommodation provision”.
- (6) If the new model has not been developed (a) why and (b) when will it be.
- (7) What is the estimated cost to implement the new model as to (a) capital costs and (b) recurrent costs.

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

- 1) No outcomes were developed from the internal stakeholder consultation. This was a scoping exercise to determine the future requirements when Residential Accommodation Services closes in mid-2020.
- 2) The stakeholders included:
 - a) Medicine Social Worker, Renal Services and Diabetes Services;
 - b) Cancer Ambulatory Services Social Worker;
 - c) Aboriginal Liaison Officer;
 - d) Nursing and Patient Support Services;
 - e) Surgery;
 - f) Critical Care;
 - g) Clinical Placement Office;
 - h) Medical Officers Support Credentialing Education Training Unit;
 - i) Residential Accommodation Services (staff); and
 - j) Canberra Hospital Foundation.
- 3) This was a scoping exercise.
- 4) The outcome from the scoping exercise lead Canberra Health Services to contracting Communication Link who are stakeholder and consultation experts.
- 5) Refer to dot point 4.
- 6) Communication Link has provided CHS with a draft report on their findings from the community engagement which will be considered over coming weeks. The draft report identifies a range of solutions and CHS anticipates any short-term service offerings accepted by the Government will be available to the community by mid-2020 to support demolition plans for the Building 5 and 24 as part of SPIRE enabling works program.
- 7) Capital and recurrent costs will be quantified when final interim solution(s) is agreed, following assessment of the communication link stakeholder findings and impacted staff consultation. Completion of the solution(s)' assessment is expected in Quarter 1 of 2020.

**Canberra Hospital—pharmacy service
(Question No 2807)**

Mrs Dunne asked the Minister for Health, upon notice, on 25 October 2019:

- (1) How does the pathway for competency-based progression, as provided in the Enterprise Bargaining Agreement for staff of The Canberra Hospital Pharmacy, operate.
- (2) Who are the members of the pharmacy's Workplace Consultative Committee.

- (3) What are the committee's terms of reference.
- (4) What is the pharmacy's plan to return to full staffing.
- (5) What is the full staffing structure.
- (6) When was this structure last reviewed as to required skill sets and staffing adequacy.
- (7) What was discovered in the review.
- (8) Have those discoveries been implemented; if not, why not.
- (9) Which positions are vacant as at the date on which this question was published in the Questions on Notice Paper.
- (10) What is the target date for reaching full staffing.
- (11) Why has there been a high turnover of pharmacy staff in recent years.

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

- (1) Canberra Health Services (CHS) Pharmacy Workplace Consultative Committee (WCC) has drafted a competency standards manual, which describes the competence to be demonstrated for progression through the Pharmacist classification levels 1 to 3.5, and the composition of the panels that will assess this competence. The draft has been circulated to all pharmacists at CHS, as well as unions, and feedback will be considered before the manual is endorsed and implemented.
- (2) The membership of the WCC is:
 - CHS Director of Pharmacy
 - CHS Human Resource Business Partner, Medical Services
 - CHS Senior Director - Workforce Relations, People and Culture
 - CHS Advisor - Workforce Relations, People and Culture (Secretariat)
 - Calvary Director of Pharmacy or delegate
 - ACT Health Directorate Chief Pharmacist or delegate
 - Professional Pharmacists Australia representative
 - Community and Public Sector Union (CPSU) representative
 - Health Services Union of Australia (HSU) representative
- (3) The Committee's terms of reference (Attachment A) were ratified by the WCC at their meeting on 13 November 2019.
- (4) A plan has been developed to increase attraction and retention and return to full occupancy. This plan includes targeted recruitment activity, specific support for education and development of key roles, and increasing the intake of intern pharmacists.
- (5) The pharmacy staffing structure comprises:
 - 1.0 Full Time Equivalent (FTE) Director of Pharmacy
 - 55.5 FTE pharmacists
 - 24.5 FTE technical and health support officers
 - 2.7 FTE other support staff in nursing and administration.

- (6) The structure was reviewed as a part of the workforce remediation plan in August 2019.
- (7) The issues relating to workforce within the Pharmacy department related to poor ability to attract suitably qualified staff to the Canberra region. Coupled with high attrition rates of senior staff due to workplace conflict, recruitment had stalled. A new director of the department has improved the culture and recruitment initiatives are beginning to see improvement in staffing numbers with seven registered pharmacists engaged since August 2019 and six intern pharmacists due to commence in February 2020.
- (8) All initiatives have been implemented or commenced.
- (9) The following positions were unfilled on the date in question:
 - 13.2 FTE pharmacists
- (10) Mid-2020.
- (11) The turnover rate in pharmacy is multifactorial including:
 - Staff recruited from outside of the ACT finding employment in their home states.
 - Staff insecurity in the context of instability in senior management of the department and a previous practice of recruiting to temporary contracts.
 - Junior pharmacists being attracted to more appealing pay and conditions in non-clinical roles at agencies such as the Therapeutic Goods Administration.

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

Roads—pedestrian crossings (Question No 2808)

Mr Coe asked the Minister for Roads and Active Travel, upon notice, on 25 October 2019:

- (1) What criteria are used to determine (a) whether or when a pedestrian crossing is necessary and (b) where a crossing will be placed.
- (2) When will a crossing on Abena Avenue and Hillcrest Street in Crace be implemented.
- (3) In relation to part (2), what dates have (a) investigations or assessments, (b) community consultation, and (c) other works been undertaken or completed, for each of the last three financial years to date.
- (4) In relation to part (3), who has the ACT Government consulted with on the need for a crossing.

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

- (1)(a) The criteria used to determine the need for a zebra crossing in the ACT is set out in Australian Standard AS 1742. This criterion, often called the zebra crossing numerical warrant, requires that:

- At least 60 pedestrians cross within a 30m section of a road in each of two one-hour periods (usually the am and pm peak periods);
- In the same periods, at least 600 vehicles pass through the section of road;
- The product of the number of pedestrians and vehicles in each period must be at least 90,000.

(b) The location of a zebra pedestrian crossing is subject to design. The criteria applied to the design is location specific. Guidance on the design of pedestrian crossings is provided in the Austroads Guides to Road Design, Austroads Guides to Traffic Management and Australian Standards. Criteria typically include: sight distance, drainage, location of underground services, lighting and desirable pedestrian travel path. However, can also include need to minimise the impact on parking and the need to provide for active travel and public transport facilities.

(2) A request for tender for the design for a zebra crossing on Abena Street is expected to be released in November 2019. It is anticipated that construction will occur before the end of June 2020.

(3) (a) An assessment against the numerical warrant criteria as documented in national standards and guidelines was undertaken in May 2019.

(b) Broader community consultation about a crossing has not been undertaken to date. Once a detailed design has been prepared affected businesses and residents will be consulted about any changes that may be needed to accommodate the crossing.

(c) No other works have been undertaken or completed in the past three financial years at this location.

(4) The ACT Government has discussed the need for a crossing with the residents committee of The Central Goodwin Homes. Affected businesses will be notified of the proposed crossing once a design is complete.

Business—payroll tax (Question No 2809)

Mr Coe asked the Treasurer, upon notice, on 25 October 2019:

- (1) In relation to question on notice No 2682 parts (9) and (10), what is the number of businesses (not groups) in (a) 2017-18 and (b) 2018-19, that have a payroll tax liability based on total Australian wages that receive the following adjusted ACT tax free threshold (i) 0 to 10 percent, (ii) 10 to 20 percent, (iii) 20 to 30 percent, (iv) 30 to 40 percent, (v) 40 to 50 percent, (vi) 50 to 60 percent, (vii) 60 to 70 percent, (viii) 70 to 80 percent, (ix) 80 to 90 percent, (x) 90 to 100 percent and (xi) 100 percent.
- (2) What is the total amount of payroll tax paid for the entities in each of the increments identified in part (1).

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

2017-18

Percentage of threshold received	Total Tax Payable \$	Number of businesses that claim the threshold on behalf of a group	Number of businesses that claim the threshold individually	Total number of businesses that claim the threshold
0 to 10	146,681,093.85	427	695	1,122
10 to 20	42,215,057.56	44	68	112
20 to 30	9,571,674.47	26	36	62
30 to 40	8,927,153.49	13	16	29
40 to 50	4,821,610.76	13	11	24
50 to 60	9,606,072.74	13	13	26
60 to 70	4,191,568.88	6	21	27
70 to 80	7,180,034.40	7	22	29
80 to 90	13,871,224.66	18	29	47
90 to 100	81,595,364.37	24	35	59
100	29,694,120.30	65	94	159
Total	358,354,975.48	656	1040	1,696

2018-19

Percentage of threshold received	Total Tax Payable \$	Number of businesses that claim the threshold on behalf of a group	Number of businesses that claim the threshold individually	Total number of businesses that claim the threshold
0 to 10	149,693,101.84	416	720	1,136
10 to 20	56,045,493.57	46	79	125
20 to 30	15,101,131.97	23	52	75
30 to 40	12,344,683.95	18	23	41
40 to 50	6,758,187.45	20	19	39
50 to 60	11,934,792.60	14	16	30
60 to 70	5,932,434.53	3	28	31
70 to 80	6,748,077.62	13	25	38
80 to 90	14,939,710.12	13	27	40
90 to 100	78,213,569.77	28	45	73
100	31,299,388.21	59	108	167
Total	389,010,571.63	653	1,142	1,795

**Taxation—land tax
(Question No 2810)**

Mr Coe asked the Treasurer, upon notice, on 25 October 2019 (*redirected to the Acting Treasurer*):

- (1) Can the Minister provide a breakdown of the number of properties that attracted land tax by type of property for each of the last five financial years to date.
- (2) What is the total number of (a) individuals, (b) businesses or corporations, or (c) other entities that have paid land tax in each of the last five financial years to date.
- (3) What is the number of (a) individuals, (b) businesses or corporations, or (c) other entities that have paid land tax in each of the last five financial years to date broken down by the (i) owner's principal place of residence, (ii) place of incorporation or (iii) other, including (A) ACT, (B) Australian state or territory or (C) country if foreign.

- (4) In relation to part (2), of the number of (a) individuals, (b) businesses or corporations, or (c) other entities, that have paid land tax in each of the last five financial years to date, how many own (i) one, (ii) two, (iii) three, (iv) four, (v) five or more, properties.
- (5) What is the total number of properties broken down by type that attracted the foreign investor surcharge each financial year since commencement to date.
- (6) What is the total number of (a) individuals, (b) businesses or corporations, or (c) other entities, that have paid the foreign investor surcharge each financial year since commencement to date broken down by the (i) owner's principal country of residence, (ii) place of incorporation or (iii) other, including (A) Mainland China, (B) Hong Kong, (C) Singapore, (D) New Zealand and (E) any other country.
- (7) In relation to part (6), of the number of (a) individuals, (b) businesses or corporations or (c) other entities, that have paid the foreign investor surcharge each financial year since commencement to date, how many own (i) one, (ii) two, (iii) three, (iv) four, (v) five or more, properties.
- (8) What is the total value of revenue received through the foreign investor surcharge each financial year since commencement to date.

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

- (1) The total number of land taxable properties for each of the last five financial years to date are:

Financial Year	Land Taxable Houses	Land Taxable Units	Total Residential Land Taxable Properties
2014-15	18,347	23,423	41,770
2015-16	18,778	25,286	44,064
2016-17	19,058	25,944	45,002
2017-18	19,288	27,632	46,920
2018-19	19,508	28,702	48,210
First quarter 2019-20	18,143	26,812	44,955

Note: The annual 2019-20 figures is expected to be higher than reported in first quarter following billing adjustments and compliance assessments.

- (2) The Revenue Office is not able to provide this information. The property billing system for land tax does not identify the type of entity that owns the property.
- (3) and (4) The ACT Revenue Office is not able to provide this information. Either the Revenue Office does not collect the information as it is not necessary for taxation purposes or where the information is held, it is retained in a manner that does not allow for collation, matching and presentation with a high degree of confidence in the form that has been requested.
- (5) and (8) The Foreign Ownership Surcharge is levied quarterly. The following are the totals per quarter:

Quarter	Units	Charge	Houses	Charge	Total Properties	Foreign Ownership Surcharge
Quarter 1 2018-19	1	\$273.04	1	\$2,869.00	2	\$3,142.04
Quarter 2 2018-19	9	\$1,884.64	7	\$10,369.50	16	\$12,254.14
Quarter 3 2018-19	11	\$2,180.90	10	\$13,606.02	21	\$15,786.92
Quarter 4 2018-19	24	\$3,292.54	12	\$15,235.63	36	\$18,528.17
Quarter 1 2019-20	46	\$5,541.37	15	\$18,881.35	61	\$24,422.72

(6) and (7).

The ACT Revenue Office is not able to provide this information. Either the Revenue Office does not collect the information as it is not necessary for taxation purposes or where the information is held, it is retained in a manner that does not allow for collation, matching and presentation with a high degree of confidence in the form that has been requested.

Questions without notice taken on notice

Canberra Hospital—comparative costs

Ms Stephen-Smith (*in reply to a question and supplementary questions by Mr Coe and Mrs Dunne on Tuesday, 17 September 2019*):

Questions 1 and 2:

Data for the purposes of comparisons across peer group hospitals is obtained by the ACT Health Directorate from the Independent Hospital Pricing Authority's (IHPA) Benchmarking Portal. The most recent data is for 2016-17. IHPA advises that it expects the 2017-18 cost report will be published on the IHPA website in March 2020.

Table 1 below summarises the results for the 2016-17 cost comparisons for both Canberra Hospital (labelled CHS), Calvary Public Hospital Bruce (CPHB) and for the ACT overall.

Both CHS and CPHB are both grouped under the same peer group in the IHPA data, namely A1 Principal Referral hospital: '*Major cities hospitals with >20,000 acute casemix-adjusted separations, and Regional hospitals with >16,000 acute casemix-adjusted separations per annum*'.

Table 1 - Average cost per Separation, 2016-17

Activity Steam	2016-17 CHS – Average Cost per separation	2016-17 CPHB – Average Cost per separation	A1 Principal Referral Peer Group Average cost per separation	2016-17 ACT – Average cost per separation
Acute	\$5,352	\$4,958	\$4,727	\$5,258
Sub and non- acute	\$11,850	\$14,807	\$13,859	\$12,473

Emergency	\$777	\$599	\$682	\$704
Non-admitted	\$296	\$155	\$321	\$281

Source: IHPA Benchmarking Portal

Question 3:

With the separation of ACT Health into two organisations, Canberra Health Services and ACT Health Directorate continue to focus on improving the efficiency of the health system.

The Canberra Hospital has increased its procedural throughput on the same resource allocation, therefore decreasing cost per procedure in the last 18 months.

Additionally, an independent review of Canberra Hospital's use of theatre resources shows it has a very efficient use of time compared with a number of peer hospitals in Victoria similarly reviewed.

In 2018-19 Calvary Public Hospital Bruce (Calvary) achieved a record number of removals from the Elective Surgery Wait List.

Additional activity has been agreed and undertaken in accordance with the Annual Calvary Performance Agreement and the Calvary Network Agreement.

This work around increasing activity at Calvary continues. An important element of this strategy is a consistent multi-team approach to theatre list management.

Discussions are currently underway regarding the transfer of emergency plastic surgery to Calvary to improve efficiency across the network by increasing capacity at Canberra Hospital.

Canberra Hospital—security

Ms Stephen-Smith (*in reply to a question and supplementary questions by Mrs Dunne and Mr Wall on Tuesday, 17 September 2019*):

- (1) There has been an increased focus on the importance of incident reporting and the increases may not necessarily reflect an increase in staff exposure to assaults or incidents.

Other factors that may have contributed to the increase in reporting of assaults on front-line hospital staff include:

- Updated internal procedures in Canberra Health Services where a more inclusive approach is taken to classify incidents as physical assaults, including near misses and unintentional acts of aggression. For example, attempted acts of violence such as a punch or kick that misses; and

- Increased demand and volume of services provided. For example, opening of Dhulwa Mental Health Unit and the University of Canberra Hospital.

Lessons learnt:

A Security Operations Centre (SOC) was established in January 2019 to better utilise current technologies available at Canberra Health Services sites (for example, camera and alarm monitoring). A full-time Control Room Operator has been engaged through the security contract to manage these services. The SOC is also used as a tool to assist with decreasing occupational violence by improving the protection of our employees and patients, particularly in at-risk areas, such as our Emergency Department through:

- Monitoring suspicious or anti-social behaviour by virtual patrolling and dispatching security to potential incidents;
- Monitoring high-traffic and isolated areas by virtual patrolling such as carparks and deploying security resources as needed; and
- Tracking absconding patients across campus via camera to inform clinical staff of their whereabouts.

- (2) Canberra Health Services and Calvary Public Hospital Bruce clinical and security staff have well-developed protocols for the management of patients experiencing temporary or longer-term conditions that may cause them to behave uncharacteristically, aggressively or anti-socially. These protocols have proven effective in the de-escalation of most difficult situations. ACT Policing are responsive to any requests for assistance in clinical areas across the hospital campuses if required.

There are also several initiatives underway across the ACT public health system, these include:

- Canberra Health Services Occupational Violence (OV) Strategy

Canberra Health Services is currently undertaking work focused on reducing the incidence of violence from all sources towards staff. This work is included in the OV Strategy, which has been endorsed by the OV working group and will be published in the near future. To support the OV Strategy, Canberra Health Services has updated its security policies and procedures and are currently going through the endorsement process. The updated policies and procedures are expected to be finalised by the end of the year. The OV Strategy will be measured through achievements and milestones as detailed in an implementation plan.

- Nurses and Midwives – Towards a Safer Culture Strategy

On 14 December 2018 the Nurses and Midwives: Towards a Safer Culture – The First Step – Strategy (the Strategy) was launched. The Strategy supports the ACT Parliamentary Agreement commitment to the provision of a safe workplace for nurses, midwives, and all persons who enter ACT Health workplaces.

The development plan provides the framework for the first year of implementation, including the establishment of a steering committee and the employment of Project Officers. Working collaboratively, the steering committee and the Project Officers will lead the development of key performance indicators, guidelines, procedures, policies, artefacts and development of a long-term sustainable plan of action.

Hospitals—aged-care transition

Ms Stephen-Smith (*in reply to a supplementary question by Mrs Dunne on Thursday, 19 September 2019*):

1. ACT Health Directorate and Canberra Health Services do not collect data on the length of time patients are waiting for suitable accommodation following an Aged Care Assessment Team assessment. Not all patients move directly from hospital to a residential aged care facility e.g. some patients may be discharged home with in-home care and support services until a place in a residential aged care facility becomes available. The Productivity Commission's Report on Government Services contains measures of the time between being found to be eligible for aged care and entering an aged care service.
2. The number, type and location of residential aged care beds is determined by the Commonwealth. As above, not all patients move directly from hospital to a residential care facility e.g. some patients may be discharged home with in-home care and support services until a place in a residential aged care facility becomes available.

Canberra Hospital—medical training

Ms Stephen-Smith (*in reply to a question and a supplementary question by Miss C Burch on Tuesday, 24 September 2019*):

- (1) The Royal Australasian College of Physicians (RACP) has raised one concern related to the quality of training provided to doctors at Canberra Health Services. This is that trainees were witnessing bullying, harassment or discrimination in the learning environment. The concern was raised in a letter similar to those received by a number of hospitals, including Canberra Hospital, in August 2019, reflecting the results of a national survey undertaken by the RACP in December 2018.
- (2) The RACP wrote to a number of hospitals across Australia in August 2019, including Canberra Hospital, reflecting the results of a national survey undertaken by the RACP in December 2018. The concerns raised were that the physicians providing physician education at CHS reported intense daily workload, workload causing fatigue and fatigue impacting work performance.

Drugs—overdose deaths

Ms Stephen-Smith (*in reply to a question and supplementary questions by Mr Hanson and Ms Lawder on Wednesday, 25 September 2019*):

- (1) The Member's questions refer to recent media reports concerning the publication of *Australia's Annual Overdose Report 2019* by the Pennington Institute.

In commenting on the report's findings, it is important to note a number of caveats on the data used. Firstly, the total number of deaths in the ACT is quite small and can create significant variances between years.

The report also highlights that while a single drug may be identified in an unintentional drug-induced death, it is rare for a death to be attributable to toxicity from a single drug, that deaths involving multiple drugs are the norm rather than the exception.

The Pennington analysis of unintentional drug-induced deaths is not an analysis of the total number of deaths each year over a 10-year period, but rather compares the total number of deaths that occurred between two 5-year periods.

The report compares the total number of deaths involving stimulant type drugs in the 5-years between 2003 and 2007 against the total number of deaths in the 5-years between 2013 and 2017. For the ACT in the period 2003-2007, there were 8 deaths involving stimulants, in the period 2013-2017 there were 25 deaths.

Nationally, stimulants as a drug group were involved in 417 unintentional drug-induced deaths in 2017. This represents a 200 per cent increase in the number of unintentional drug-induced deaths involving stimulants since 2012.

Across Australia, a 2016 summary found that 1.4 per cent of people aged 14 years or older reported using amphetamines in the previous year ¹. However, despite this low proportion of use, amphetamines have grown as a substance identified as a principal drug of concern for treatment.

In 2013-2014 amphetamines was the principal drug of concern for 15 per cent of closed treatment episodes in the ACT, in 2017-2018 this figure has grown to 24 per cent of closed treatment episodes. ²

A recent NSW Ministry of Health report draws on multiple sources of data in order to support a comprehensive, balanced and up-to date understanding of the evidence around methamphetamine use and harms in NSW. This report concluded:

"Despite the continued low use of methamphetamine in the general community, there was a rapid increase from 2010 onwards in the number of people who experienced methamphetamine-related harm, with a peak in harms in 2016-17.

These harms were seen through methamphetamine-related emergency department presentations, hospital admissions and deaths. The level of methamphetamine-related harm remained high in 2017-18.

This suggests that a relatively small proportion of people in NSW with higher risk patterns of methamphetamine use have experienced rapidly increasing health and social harms from methamphetamine. ³

The available evidence suggests that, while the number of people who use amphetamines is small, it is a substance with a high risk of harm, this is associated with both the nature of the substance and the method of use. This results in higher use of health services and unintentional drug-induced deaths.

- (2) ACT Policing advise that in 2018-19 there were 28 offenders under 18 apprehended for drug related offences; two of these offences involved Methamphetamines.

Young people coming into the youth justice system often have multiple and complex needs. These can include drug and alcohol issues, mental health concerns and/or a trauma background that has resulted in difficulty regulating their behaviour. Problematic drug and alcohol use by a young person in the youth justice system is often first identified through information provided through the ACT Childrens Court following police involvement. Child and Youth Protection Services will commence youth justice case management of a young person by developing a youth justice case plan within 6 weeks of obtaining youth justice supervision through the ACT Children's Court. A case plan addresses the young person's immediate criminogenic needs and risks (such as drug and alcohol use) and includes regular assessments and monitoring. A case plan is the central guidance tool for case management of a young person involved with the youth justice system.

- (3) The ACT Government continues to run a number of campaigns concerning the harms associate with drug and alcohol use. In 2019, the ACT Government undertook a harm reduction initiative associated with the *Groovin' the Moo* festival which included targeted social media messaging, updated ACT health web content and electronic signage at the festival.

In June 2019 the Government also announced \$1.75 million in new funding to reduce alcohol-related harms in the Territory. The funding awarded was:

- \$762,000 over two years to the Foundation for Alcohol Research and Education (FARE) for the Preventing Alcohol-Related Chronic Disease program;
- \$476,000 over two years to Winnunga Nimmityjah Aboriginal Health and Community Services for the program Winnunga AHCS — Reducing Alcohol-Related Harm for Aboriginal and Torres Strait Islander Peoples program;
- \$184,000 over two years to the AIDS Action Council of the ACT for the Not So Straight Up program to reduce risky drinking behaviour within LGBTIQ communities;
- \$170,000 over two years to Australian Red Cross Society for the Save-a-Mate (SAM) program to equip young people, and parents and carers, with the knowledge and skills to prevent, recognise and respond to alcohol and other drug emergencies; and
- \$154,000 over two years to Canberra Health Services for the Prevent Alcohol and Risk-Related Trauma in Youth Canberra Outreach program to prevent alcohol and other drug related injuries among senior high school students.

In 2018-19 the Justice and Community Safety Directorate provided funding to ACT Policing for crime prevention activities. This funding contributed to a range of initiatives including:

- Delivery of crime prevention education to schools and the community;
- The identification and diversion of at-risk youth from the criminal justice system;
- Seniors, Indigenous and Multicultural Community Liaison; and
- Engage with the community at key community events.

ACT Corrective Services offers a range of programs designed to provide offenders and detainees with opportunities to address criminogenic needs that include education about the risks of drug and alcohol use. The below table details the programs currently offered at the Alexander Maconochie Centre, and Community Corrections:

Name of Program	Description	Location
Harm Minimisation	Facilitated by Directions ACT, Harm Minimisation is an information education session which discusses ways to minimise harms associated with alcohol and other drug use.	AMC
Alcohol and Drug Awareness and Harm Prevention Training (ADAPT)	A psychoeducational group promoting drug and alcohol awareness.	AMC
First Steps Alcohol and Drug Program	A drug educational program for detainees with offending behaviour relating to substance abuse.	AMC
Sober Driver Program	An alcohol and driving educational program, assisting offenders to gain an understanding of the effects of drink driving on themselves and the community.	Community Corrections
Self Management and Recovery Training (SMART) Program	SMART is a psychoeducational program which assists with problematic behaviours, such as alcohol, drugs, cigarettes, gambling, food, shopping, internet use etc.	
Directions ACT: Individual Counselling	Directions ACT provide one to one counselling to detainees to assist them to address substance misuse issues with alcohol, illicit or illegal drugs, and cigarettes.	AMC
Solaris Therapeutic Community	Co facilitated with Karralika Programs Inc., the Solaris Therapeutic Community (TC) is a residential program for males in the AMC who have alcohol and other drug dependency issues.	AMC
ACT Health Alcohol and Drug Service (ADS): Individual Counselling	ACT Health and Alcohol Drug Service (ADS) provide one to one counselling to detainees to assist them to address substance misuse issues with alcohol, illicit or illegal drugs, and cigarettes.	AMC

Canberra Health Services Alcohol and Drug Services delivers a Police Early Diversion program that provides Alcohol Tobacco and Other Drug information

and harm minimisation education to people referred by ACT Policing through the Illicit Drug Diversion (IDD) program.

The IDD case managers have also attended Canberra College and Hawker College to provide group education to Year 11 and 12 students.

Drug Education in the Australian Curriculum

All ACT schools implement the Australian Curriculum. The Australian Curriculum: Health and Physical Education (F–10) aims to develop the knowledge, understanding and skills to enable students to access, evaluate and synthesise information to take positive action to protect, enhance and advocate for their own and others' health, wellbeing and safety across their lifespan.

In the Australian Curriculum: Health and Physical Education alcohol and drug issues are taught explicitly in the 'Personal, social and community health' strand and within their own focus area from kindergarten to year 10.

The 'Alcohol and other drugs' focus area addresses a range of drugs, including prescription drugs, bush and alternative medicines, energy drinks, caffeine, tobacco, alcohol, illegal drugs and performance-enhancing drugs.

The content in the 'Alcohol and other drugs' area supports students to explore the impact drugs can have on individuals, families and communities. It is expected that all students at appropriate intervals across the continuum of learning from Foundation to Year 10 will learn about the following:

- safe use of medicines;
- alternatives to taking medicines;
- the effect of drugs on the body (including energy drinks and caffeine);
- factors that influence the use of different types of drugs;
- impact of drug use on individuals and communities;
- making informed decisions about drugs (assertive behaviour, peer influence, harm minimisation, awareness of blood-borne viruses); and
- performance-enhancing drugs in sport.

In Kindergarten to year 2 the content does not cover drugs other than medicines.

To support the delivery of the Australian Curriculum, teachers access a range of resources and support agencies that provide teachers information to support alcohol and drug education in ACT schools. For example, Life Education, Australian Government Department of Education and Training's Student Wellbeing Hub, Constable Kenny Koala and ACT Road Ready program.

¹ 2016 National Drug Strategy Household Survey

² ACT specific data sourced from AODTS NMDS ACT supplementary report 2017-18 published by the AIHW July 2019

³ Methamphetamine use and related harms in NSW: Surveillance report to December 2018, NSW Ministry of Health

Housing—Common Ground

Ms Stephen-Smith *(in reply to a question and a supplementary question by Mr Coe on Thursday, 26 September 2019):*

Essential site preparation work to remove surplus buildings and structures from a government-owned site on Block 6 (5 Rosevear Place) is now complete.

A Development Application (DA) was recently approved for Coles Group Property Developments (Coles) to develop a seven-storey mixed use development, including a supermarket, basement car parking and 140 residential units in the Dickson Group Centre.

A key condition placed on the DA for Coles is the development of a construction period parking plan. Coles is currently working on the development of this plan. The Environment Planning and Sustainable Development Directorate has advised Coles that if required, Block 6 could be made available for use as a temporary carpark for construction workers during the week, and for overflow public parking outside of construction hours. More details on the temporary traffic and car parking arrangements during construction will be released as soon as they are available.

Throughout the community engagement on the future of Section 72 we heard that one of the community's top priorities for was upgrades to the Dickson Pool forecourt. In response to the feedback provided by the community, the Government will trial a number of improvements to improve the Dickson pool forecourt area during summer. This will include more shade, bike parking, landscaping and furniture.

Views will be sought from stakeholders and the community on what works and what does not work with the temporary improvements, which will help guide the design of more permanent upgrades. The temporary improvements will be in place until the end of March 2020.

The ACT Government is continuing discussions with the Salvation Army to resolve the future leasehold status of Block 22. Resolution of this issue is critical to enable an integrated plan for the urban renewal of Section 72 Dickson.

Once the status of Block 22 is resolved, a community reference group will be formed to provide further input on the planning and infrastructure for Section 72 Dickson.

Canberra Hospital—security

Ms Stephen-Smith *(in reply to a question and supplementary questions by Mr Milligan and Mrs Dunne on Tuesday, 22 October 2019):*

- (1) Yes. There are a total of eight duress alarms in the Yamba Drive car park.
- (2) Duress alarms in car parks are pole-mounted and are accessible for use by staff and public who require assistance from response staff.

There are duress options available in most CHS workplaces, which includes portable duress pendants or handsets. These are for use only within the workplace.

(3) All car park duress alarms are functional.

Staff using the evening Courtesy Bus service or a security escort are taken to their vehicle within on-campus car parks, car parks immediately surrounding the hospital campus (e.g. Garran Oval, Yamba Drive and CIT car parks), and on-street parking within streets immediately surrounding the hospital campus.

ACT public service—workplace behaviour resources

Ms Orr (*in reply to a question and a supplementary question by Miss C Burch on Wednesday, 23 October 2019*):

The Government has refreshed its approach to misconduct related matters in the ACT Public Sector and in 2016 introduced the Public Sector Standards Commissioner ('PSSC'). This Office ensures that allegations of misconduct concerning public servants are independently investigated.

The processes governing how investigations are conducted are contained in the ACTPS enterprise agreements.

As a result of new enterprise agreements, these documents have been reviewed and refined progressively, commencing with a new comprehensive guide to cover misconduct which was uploaded to the PSSC website in October 2019. The original suite of documents has also been updated, reviewed and uploaded to the employment portal.

This document suite is not the only source of information and support on bullying and harassment in the ACTPS. There are many ways managers and employees can receive help where required, including EAP, manager and staff training, directorate HR teams and the RED Framework which has substantial resources available through a Service-Wide support network.

ACT Supreme Court—silica contamination

Mr Ramsay (*in reply to a supplementary question by Mrs Jones on Wednesday, 23 October 2019*):

I as Attorney-General provide the below answer to the Member's question as it sits within my portfolio responsibilities:

1. The building certifier Philip Chun & Associates applied for a Certificate of Occupancy and Use for the custodial facilities in the new courts building which was issued by Access Canberra Building Services on 27 June 2019.

ACT Policing—complaints

Mr Gentleman (*in reply to a supplementary question by Mr Parton on Wednesday, 23 October 2019*):

1. I am advised by ACT Policing, Taskforce Nemesis was not involved in the search warrant conducted at the ACT Housing residence in Tuggeranong on 30 September 2019.

Housing ACT—complaints

Mr Gentleman (*in reply to a supplementary question by Mr Parton on Wednesday, 23 October 2019*):

1. ACT Policing have advised they cannot comment on the number of complaints they have received against this location as this information, if made public, could breach requirements and protections afforded to the residents under the *Privacy Act 1988* (Cth) and *Human Rights Act 2004* (ACT).

Additionally, as this is an ongoing operational matter for ACT Policing that may be placed before the court, it would not be appropriate to comment further in relation to the residence.

Canberra Health Services—staff safety

Ms Stephen-Smith (*in reply to a question and a supplementary question by Mr Wall on Wednesday, 23 October 2019*):

- (1) There were 604 reported physical incidents in the Staff Incident register for nurses and front-line staff during the 2018-19 financial year.
- (2) Below is a table with the breakdown of physical incidents by area, noting the Division of Mental Health, Justice Health and Alcohol and Drug Services reported the highest level of physical incidents at 285.

Division	Physical Incidents
Business Support	8
Cancer and Ambulatory Services*	1
Cancer, Ambulatory and Community Health Support*	4
Clinical Support Services*	29
Critical Care	78
Infrastructure and Health Support Services	2
Medicine	70
Mental Health, Justice Health, Alcohol and Drug Services	285
Nursing Midwifery and Patient Support Services	20
Office of DDG Canberra Hospital and Health Services	2
Pathology	1
Rehabilitation, Aged and Community Care*	32

Rehabilitation, Aged and Community Services*	39
Surgery*	5
Surgery & Oral Health*	15
Women, Youth & Children	13

*Please note: The CHS Restructure in March 2019 has affected the division name and location of specific teams, therefore, it may appear that some divisions are duplicated in this table.

Bimberi Youth Justice Centre—staffing

Ms Stephen-Smith (*in reply to a question and supplementary question by Mr Coe on Wednesday, 23 October 2019*):

In response to Mr Coe's question, I can inform the Assembly:

1. From the 2 September 2019 to the 23 October 2019, there have been 41 occasions when the number of staff in attendance was lower than the anticipated staffing numbers.
2. The factors that have led to lower staffing levels includes planned annual leave, unplanned leave due to illness and unexpected personal leave. During these periods, young people maintained access to support services such as Justice Health Services, community services, access to education through the Murrumbidgee Education and Training Centre and regular visits from the Official Visitors and Public Advocate. Family visits were also maintained and occurred during the period.

Housing ACT—vacant property

Ms Berry (*in reply to a question and supplementary questions by Mr Milligan and Mr Parton on Wednesday, 23 October 2019*):

In response to Mr Milligan's questions, I can inform the Assembly:

1. The property is now in the possession of Housing ACT and a decision has been made by the Asset Assessment Panel to sell the property. The property is not currently liveable and action is now underway to clear out the property and remove items left behind by the previous tenant. It will then be prepared for sale.
2. The tenant has not resided at the property since 27 January 2018. During that time, Housing ACT has worked in accordance with the Residential Tenancies Act 1997 to ensure compliance with the tenancy agreement and take action to reclaim the property in accordance with the Act.

In response to Mr Parton's question, I can inform the Assembly:

3. This property was tenanted, however the tenant was not residing at the property. During that time, Housing ACT was working in accordance with the provisions of

the *Residential Tenancies Act 1997* to ensure compliance with the tenancy agreement and take action to reclaim the property in accordance with the Act.

Housing ACT—complaints

Ms Berry (*in reply to supplementary questions by Mr Parton and Mr Wall on Wednesday, 23 October 2019*):

In response to Mr Parton's question, I can inform the Assembly:

1. Since 2012, there have been a total of four formal complaints made to Housing ACT.

In response to Mr Wall's question, I can inform the Assembly:

2. Housing ACT is actively working with the tenant to address breaches of their tenancy agreement and is taking legal action as appropriate under the *Residential Tenancies Act 1997*.

A Housing ACT Tenant Support Community Connections Officer (TSCCO) is actively engaging with residents of the street. Contact details for the TSCCO have been provided to enable direct contact so that any concerns residents may have can be discussed. The engagement has also included education on reporting complaints to Housing ACT and other relevant agencies.

Canberra Hospital—SPIRE project

Ms Stephen-Smith (*in reply to a supplementary question by Ms Lee on Thursday, 24 October 2019*):

This information is not held by Canberra Health Services.

Canberra Hospital—SPIRE project

Ms Stephen-Smith (*in reply to a question by Mr Hanson on Thursday, 24 October 2019*):

The total cost incurred for the redevelopment of Canberra Hospital buildings 2 and 3 design was \$2.181 million (including GST).

Canberra Hospital—SPIRE project

Ms Stephen-Smith (*in reply to a question and a supplementary question by Ms Lee on Thursday, 24 October 2019*):

The ACT Government has not undertaken nation-wide analysis of hospitals with schools nearby. I am advised that it is not uncommon for hospitals to be near primary schools, high schools and other education facilities. For example, the Emergency Department at St George Hospital in Kogarah NSW is in close proximity to

St Patrick's Catholic Primary School. St George Hospital is a tertiary referral hospital with more than 500 beds and a very high trauma load.

ACT Policing—mental health

Mr Gentleman *(in reply to a question by Mrs Dunne on Tuesday, 26 November 2019):*

Over the last five financial years, there has been a steady increase in the total amount of funding provided to ACT Policing to deliver policing services to the ACT, and the overall headcount. It is important to note that ACT Policing can only quantify trending statistics for mental fatigue and stress problems through the number of Comcare claims made that relate to psychological injury. Based on this information, it can be stated that over the past five financial years the number of Comcare psychological injury claims made by ACT Policing sworn members have remained relatively stable whilst funding and headcounts have increased.

Outside of this limited statistical comparison, it is difficult for ACT Policing to accurately determine a correlation between ACT Policing resourcing and the wellbeing of sworn officers.

ACT Policing has access to a broad range of AFP-led initiatives that focus on improving the health and wellbeing of members. The AFP's Early Access program provides support to members with physical and psychological workplace related injury with a focus on early intervention treatment and support.

The Early Access Program is offered to all members who report an incident. The program aims to address injuries in their early stages to prevent their exacerbation and reduce the number of Comcare claims.

Additionally, there are three police officers performing the role as a Welfare Officer in ACT Policing. These Welfare Officers provide support to members for a range of matters, including critical incidents in addition to work-place and personal matters. The Welfare Officers also act as an initial support contact for the provision of further assistance.

Finally, ACT Policing has one (and has received funding to increase to two) dedicated psychologists to provide proactive and responsive support and services to ACT Policing members. This includes mental health training that assists members and supervisors in identifying members potentially suffering from a mental health injury and provides strategies for their care, including removing any stigma associated with mental health injuries.