

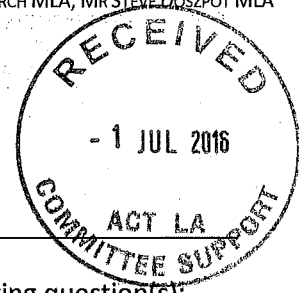


LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2016-17

MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE DOSZPOT MLA

**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by MR SMYTH on 23 June 2016: MS FITZHARRIS took on notice the following question(s):

[Ref: Proof Hansard Transcript [23 June 2016] [PAGE 573]]

In relation to: ACT Government coordination for five universities.

THE CHAIR: With all due respect to Mr Cox, because I know he is across his brief, we are going to run out of time. Is it possible to have a summary of what activities the ACT either sponsors, undertakes or coordinates with each of the five universities that exist in the territory?

Ms Fitzharris: We can take that on notice.

MINISTER FOR HIGHER EDUCATION, TRAINING AND RESEARCH: The answer to the Member's question is as follows:—

As outlined in *Confident & Business Ready: Building on Our Strengths* the higher education and research sector value adds approximately \$2.7 billion per annum to Canberra's economy and creates approximately 16,000 Full Time Equivalent (FTE) jobs. As a result the Government has committed to adopting a strong economic development focus in its relationship with the sector.

As Minister for Higher Education, Training and Research my role is:

- to work with the sector to promote Canberra as Australia's Education and Research Capital;
- to act as a first point of contact for the Higher Education and Research Sector for proposals that have economic development implications; and,
- to have an oversight role for ensuring that the economic development aspects of proposals from the sector are given high priority across government.

The Government has committed to a number of specific actions to support the development of the sector:

1. Support for growing Canberra as an education destination

International and interstate students studying at Canberra's education institutions create approximately 6,100 FTE jobs and value-add \$879 million per annum to Canberra's economy. Through our Study Canberra program the ACT Government is working with the education institutions to enhance the student experience, to ensure coordinated and consistent marketing, and to promote Canberra as a higher education destination of choice.

This is done through a range of initiatives including a Student Ambassadors Program. In March 2016 the Chief Minister formally welcomed new interstate and international students to

Canberra at the Chief Minister's Student Welcome, which was attended by over 300 students along with representatives from Canberra's diplomatic and higher education communities. The Chief Minister presented certificates to 19 Study Canberra Student Ambassadors, and ANU Vice-Chancellor Professor Brian Schmidt welcomed 10 recipients of the ANU-Study Canberra India Scholarship.

The 2016 Study Canberra Student Ambassador cohort includes 19 students from eight countries, representing high school, VET (CIT) and university students. The Student Ambassadors tell their Canberra story and promote the many great aspects of living and studying in the ACT. To date they have been active during Orientation Week, at the Canberra Airport Student Welcome Desk and a Study Canberra promotional photo shoot. Activities will continue in Semester Two with promotions planned at Canberra CareersXpo, Orientation Week and Tertiary Open Day.

In addition Social Media, Website, and Marketing Collateral also forms a significant part of the marketing and promotion work. All of Study Canberra's social media accounts promote Canberra broadly; including images and information about the city, events and activities, as well as cross promoting Canberra's institutions. Study Canberra's Facebook page has over 9,750 'likes', with 70 per cent of its audience aged between 18-24 years old. Study Canberra maintains Weibo and WeChat accounts, the most popular social media platforms in China, which is the largest international student source market.

2. Support for the Key Capability Areas

In *Confident & Business Ready: Building on Our Strengths* the Government agreed to work in partnership with the CBR Innovation Network to support the higher education and research institutions' goals of developing the following key capability areas:

- The National Agriculture and Environmental Sciences Precinct (ANU and CSIRO);
- The ICT and e-Government Cluster (Data61 and ANU);
- The Cyber Security Innovation Cluster (ANU, UNSW Canberra, Data61 and UC);
- The ACT Space Innovation Cluster (ANU and UNSW Canberra);
- The Sports Technology Cluster (UC); and
- The Health Innovation Cluster (UC).

Over the last 12 months the ACT Government has been pushing the development of these sectors. The development of the space and spatial industry is now on the agenda for the COAG Skills and Industry Council because of the leadership of the ACT Government. In addition, the Government has worked with the sector to develop a joined up approach to promoting Canberra's capabilities in this area.

The ACT Government's funding for Data61 over the next two years will be closely tied to the development of the cyber security industry in Canberra and, in particular, the development of a Canberra node of the Cyber Security Industry Growth Centre. The Government has also been working closely to bring together the institutions to promote Canberra's cyber security credentials through the development of a Canberra Cyber Network.

The Government has supported University of Canberra's Campus Master Plan to expand its role in Australia's higher education sector whilst at the same time promoting the ACT as a destination of choice for academic research and development. In 2015-16 UC received two grants from the CBR Innovation Development Fund:

- \$150,000 for the development of the CBR SportsTek Lab that will, in collaboration with the CBR Innovation Network and the Australian Institute of Sport, operate as a

functioning sports technology innovation facility where entrepreneurs can engage with researchers in a creative space developing breakthrough ideas; and

- \$150,000 for the Big Data Health Innovation program to develop a prototype Open Data Commons platform allowing the collection and integration of multiple types of individual and publicly available health-related data using 'big data-driven' approaches for improved population health.

The ACT Government also sponsored the Australian Sports Technology Network's industry showcase at the AIS in December 2015.

In the 2016-17 Budget the Government has provided \$750,000 for funding projects that make a major contribution to the development of Key Capability Areas and that result in significant leveraging of ACT Government funding.

3. Accelerating Innovation and Commercialisation

The establishment of the CBR Innovation Network two years ago that brought together the major higher education and research institutions – ANU, UC, UNSW Canberra, Data61 and CSIRO – to work collaboratively to drive the Government's innovation agenda. The addition of CIT to the Network this year is a welcome development and brings the vocational education sector into the innovation community.

The agreement of these institutions to join and fund the Network is a clear recognition of the need to create a supportive innovation ecosystem if the institutions are to succeed in their goal of commercialising research to the benefit of Canberra and Australia.

The recent decision by the Government to join the Medical Research Commercialisation Fund and the decision to support the establishment of the Significant Capital Ventures Fund, a joint initiative of ANU, UC and the Hindmarsh Group are clear indications of the Government's ongoing support for innovation and commercialisation.

The ACT is also set to move to the forefront of health care delivery by investing \$7.3m in new diagnosis and patient care technology that will allow new and existing drug therapies to be tailored to individual patients based on their genetics and condition.

The new genomics program will build on existing research, expertise and achievements of the Centre for Personalised Immunology at the John Curtin School of Medical Research to develop genomics as part of a clinical and diagnostic service in partnership with ACT Pathology.

4. The Vice Chancellors' Forum

Chaired by the Chief Minister, the Vice Chancellors' Forum comprises:

- Minister for Higher Education, Training and Research;
- Vice Chancellor, ANU
- Vice Chancellor, UC
- Rector, UNSW Canberra
- Vice Chancellor, Australian Catholic University
- CEO, CIT

(Officer level discussions have been held with Charles Sturt University and consideration of its future participation will be considered after the next Forum meeting).

Following the release of *Confident & Business Ready: Building on Our Strengths* last year, the Forum agreed to work with the Government to oversee the implementation of the

commitment to promote Canberra as Australia's education and research capital. The next meeting will discuss a wide range of items including the implementation of the strategy, an international education strategy, the decision to implement a fee waiver for the dependants of HDR students studying at Canberra's institutions, the Study Canberra work program and a closer relationship between the Government's investment attraction activities and the institutions' investment attraction strategies.

Ministerial activities that support the capabilities of the education and research institutions

In addition to supporting the activities mentioned above, since becoming Minister for Higher Education, Training and Research I have actively promoted the capabilities on Canberra's education and research sector in a number of different ways:

- For example, in April 2016 I attended the Locate16 spatial industry conference in Melbourne where I addressed 150 industry leaders on Canberra's capabilities in the space and spatial sector. This industry, worth US\$330 billion worldwide and growing at 8 per cent per annum, has deep capabilities in Canberra. My address to the conference was supported by ANU, UNSW Canberra and EOS Space Systems.
- In early June 2016 I addressed the Defence + Industry conference on Canberra's capabilities in areas of priority in the Defence White Paper including cyber security, space and spatial technologies and geospatial intelligence.
- Also in June 2016 I made the opening remarks at the Space, Science and Innovation address by Northrop Grumman, President, CEO and Chair Mr Wes Bush. This provided another opportunity to promote the capability of Canberra's research institutions in areas such as geospatial intelligence, space technology and cyber security. Canberra's institutions, particularly ANU, UNSW Canberra, UC and Data61, have world leading capabilities in these areas. The convergence that is occurring between cyber security and space and spatial technologies promises to deliver significant benefits to Canberra's economy.

Approved for circulation to the Select Committee on Estimates 2016-17

Signature:



Date:

29/6/2016

By the Minister for Higher Education, Training and Research, Meegan Fitzharris MLA

¹ *Confident & Business Ready: Building on Our Strengths*, ACT Government May 2015

http://www.business.act.gov.au/resources_and_networks/business_development_strategy/confident-and-business-ready



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FOR THE AUSTRALIAN CAPITAL TERRITORY

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MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE DOSZPOT MLA

**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**

Asked by MR SMYTH on 23 June 2016: JAMES SERVICE took on notice the following question(s):

[Ref: Hansard Transcript [23 June 2016] [PAGE 591]]

In relation to: Asbestos Training Course

THE CHAIR: How many have completed the asbestos course, are you aware?

Mr Carter: The competencies for removal as opposed to—

THE CHAIR: Yes.

Mr Carter: In asbestos awareness last year we trained about 19,000 in awareness or provided rebates for training for those.

THE CHAIR: Which I am sure, therefore, took place.

Mr Carter: I have the figures here on the other training program in that area. Bear with me. I can take that on notice and provide it to you, if that helps.

MINISTER FOR HIGHER EDUCATION, TRAINING AND RESEARCH: The answer to the Member's question is as follows:—

In the Financial year 2015-16, the Authority has provided training rebates from the Upskilling and Professional development program in the 2016 annual training plan totalling **\$315,373.85 for asbestos related training.**

2251 eligible workers have been provided rebates for training in asbestos awareness undertaken with approved Worksafe ACT Registered Training Organisations

34 eligible workers have been provided training rebates for successfully completing Nationally accredited training in the **removal of Non-Friable asbestos**

17 eligible workers have been provided rebates for successfully completing Nationally accredited training in the **removal of Friable asbestos**

17 eligible workers have been provided rebates for successfully completing Nationally accredited training in the **Supervision of asbestos removal**



10 eligible workers have been provided rebates for successfully completing Nationally accredited training in the **Working safely with Asbestos containing Materials**

Approved for circulation to the Select Committee on Estimates 2016-17

Signature:



Date: 4/7/2016

By the Minister for Higher Education, Training and Research, Meegan Fitzharris MLA

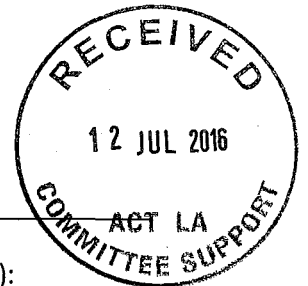


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**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by Mr Wall on 22 June 2016: Mr Tomlins took on notice the following question(s):

[Ref: Hansard Transcript 22 June 2016 [PAGE 366]]

In relation to: Register for Tenders

MR WALL: With respect to the time lines, Mr Tomlins, if, for example, a tender closed today, when would that information go up on the website and when would that information then be made available to unions under the MOU?

Mr Tomlins: If it closes, it will be on the website today, and sent out to the unions today. The same person does it.

MR WALL: The website that you refer to, which website is that?

Mr Tomlins: The procurement and capital works website.

MR WALL: Under what part of that website can the general public see a list of everyone that has made an application for that tender?

Mr Tomlins: You can go through the website and find that. I will take on notice the provision of the link.

Minister for Economic Development: The answer to the Member's question is as follows:-

The direct link to the Register for Tenders on the Procurement and Capital Works website is:
<https://tenders.act.gov.au/ets/library/browse.do?selected=RFx%20Responses%20Received%20by%20tendersACT&cwd=&action=browse>.

Approved for circulation to the Select Committee on Estimates 2016-17

Signature: *Andrew Barr*

Date: 11.7.16

By the Minister for Economic Development, Andrew Barr MLA

QToN No. E16-104

Type of Questions	No	Received / hearings Date	Asked By	Directorate / Portfolio	Subject	Answer date	Minister name	Transcript page no for QTON	Remark
QTON	104	22/06/2016	Doszpot	CMTEDD - Economic Development	Government's MOU with Unions	22/06/2016	Barr		Answered at hearings



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**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by Mr Wall on 22 June 2016: Mr Barr took on notice the following question(s):

[Ref: Hansard Transcript [22 June 2016] [PAGE 376]]

In relation to: Local Industry Advocate

MR WALL: What sort of commitment is expected from the advocate for the position and the remuneration received?

Mr Barr: As Mr Dawes indicated, the Local Industry Advocate is working well beyond what she is being paid to undertake. I will get the details for the committee of the exact number of hours that she has committed.

Minister for Economic Development: The answer to the Member's question is as follows:—

Work hours for the Local Industry Advocate are set out in the Terms of Appointment, which state:

“In fulfilling her functions and duties the Appointee will devote such time as would be reasonably necessary to discharge the same in a proper and professional manner, whilst maintaining an average work pattern of two (2) days per week.”

Approved for circulation to the Select Committee on Estimates 2016-17

Signature: *Andrew Barr*

Date: 4.7.16

By the Minister for Economic Development, Andrew Barr MLA

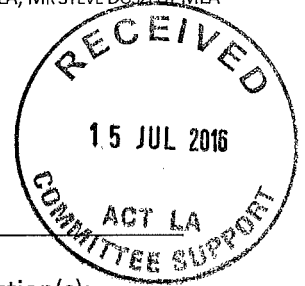


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MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE DOSZPOT MLA

**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by Mr Doszpot on 22 June 2016: Mr Tomlins took on notice the following question(s):

Ref: Hansard Transcript 22 June 2016, Page 389-90

In relation to: Tender for ICT work undertaken by the Health Directorate

Questions regarding tender for significant ICT work by the Health Directorate - the tender was put out in March 16 and has not been awarded yet.

1. Why were there significant changes to the weighting within one week before the tender closed?
2. Why hasn't the tender been awarded?
3. What prompted the change to the weighting criteria - Addendum 6?
4. What was logic behind original RFT and revised weightings?
5. Who instigated the changes to the criteria - why did they occur?
6. Is it highly unusual or permissible under procurement guidelines for criteria weightings to be changed during the course of and RFT?
7. Why wasn't a local SME weighting included in the RFT?
8. What governance was in place for the RFT?
9. Was a probity adviser appointed?
10. Were any concerns raised by the probity adviser if appointed?

Minister for Economic Development: The answer to the Member's question is as follows:-

Based on the information provided in relation to these questions, it is understood that the tender process referenced is Request for Tender (RFT) 27610.300 Panel of Suppliers for the Provision of Specialist Health Planning Services. This Health Directorate procurement process will result in the establishment of panels of potential suppliers to provide health planning services across 17 categories of health planning expertise, including a category for strategic level ICT needs assessment. As it is a panel arrangement, individual procurements of services will be conducted through a work order process as and when suitable projects come on line, consistent with the panel deeds. The term of the panel arrangements will be for three years with provision for two one-year extensions.

The RFT was released to industry as a public tender on 5 February 2016. The original RFT closing date was extended by two weeks to 15 March 2016 to enable tenderers to respond to the following:

- (i) the identification of "Rates" as a non weighted assessment criterion;

- (ii) the inclusion of an additional criterion (with a 5 per cent weighting) referencing the Territory's support for small and medium enterprises as referenced in the Small to Medium Enterprises (SME) Policy Circular (SME Policy), following clarification of its application to the particular panel arrangement, having regard to the services being provided (and as advised to potential respondents to the RFT in Addendum 8 - see attached); and
 - (iii) the associated readjustment to percentage weightings to ensure their relative importance remained the same subject to the inclusion of the criterion referable to the SME Policy (see Addendum 8).
1. See above. Subject to introduction of the criterion referable to the SME Policy and identification of Rates as a non weighted criterion, the relative importance of the weighted criteria remained the same (see Addenda 6 and 8 attached). The relevant changes were reflected in amendments to the tender evaluation plan approved by the delegate for the procurement process.
 2. Assessment of tenders received is progressing in accordance with the approved Procurement Plan, including the approved revised evaluation plan. The procurement process is for appointments to a panel which extends across 17 categories of health planning expertise. The Territory received tender responses from 35 business entities across these categories and as such the assessment process is extensive with complex assessments across a range of disciplines. On completion of the tender evaluation process and delegate approval of recommendations, the successful tenderers will be notified and panel deeds will be finalised with these tenderers subject to the outcome of any negotiations. Unsuccessful tenderers will be advised in writing and provided the opportunity to attend a tender debrief meeting.
 3. Changes were made to the weighted criteria following:
 - a. review of queries from potential respondents during the open tender period; and
 - b. review and clarification of the possible application of the SME Policy in the context of the proposed panel arrangement.
 4. See above and below regarding criterion associated with the SME Policy. The change from a weighted criterion for Rates to a non weighted criterion was recommended to:
 - a. acknowledge the absence of identified projects against which quoted rates could effectively be assessed in a panel appointment context; and
 - b. acknowledge the likely range of different organisational structures, staffing numbers, nominated teams and associated rate(s) likely to be submitted by the potential respondents given the breadth of the scope of services to be provided by panel members across multiple disciplines.
 5. See response above.
 6. The relevant amendments were made consistent with the terms of the RFT as advised to potential respondents.
 7. See explanation above. The SME Policy is not specific on its application to Panel arrangements. As such clarification was sought in the context of the RFT.

8. The RFT is governed by an approved Procurement Plan in accordance with Territory policies and procedures under the Government Procurement Act 2001.
9. The ACT Government Solicitor's Office is the appointed probity advisor for this procurement process which remains current.
10. Any advice provided by the probity advisor is the subject of client professional privilege. However the appointed probity advisor is authorised to advise the variation to the RFT process occurred prior to close of the RFT and was permitted in accordance with the terms of the RFT as published to all potential respondents.

Approved for circulation to the Select Committee on Estimates 2016-17

Signature: *Andrew Barr*

Date: *11.7.16*

By the Minister for Economic Development, Andrew Barr MLA



ACT
Government

Chief Minister, Treasury and
Economic Development

IMPORTANT NOTICE

ADDENDUM 6 TO REQUEST FOR TENDER NO.27610.300

Panel of Suppliers for the Provision of Specialist Health Planning Services for Health Directorate

Please note the following documents / clarification to be considered for the above Request for Tender (RFT):

1. Amended RFT (PDF and Word versions) including changes reflected in Addenda 1, 2, 3 4 and 5 are attached to Addendum 6 Notice. Separate reference documents (Attachment 7 and Draft Panel Deed) are not included.

Tenderers' attention is drawn to the following new changes included in the RFT:

2. **Clause 3.4 Evaluation Criteria – Weighted Criteria** changes:

Weighted Criterion 1 weighting changed from 30% to 45%

Weighted Criterion 2 weighting changed from 25% to 40%

Weighted Criterion 2 title change (reference to capacity has been removed)

Weighted Criterion 3 weighting changed from 10% to 15 %

Weighted Criterion 4 weighting removed. Rates are not weighted

3. **Clause 3.4**

New 'Note' included in the attached RFT addressing referees and performance review:

Tenderers must provide the details of three referees in respect to its past experience in supplying the required services (or similar services). Attachment 5 in the RFT is designated for this response. Referees may be contacted during the evaluation process. Review of Territory Consultant past performance (where available from the Territory's records) will also be considered.

Two statements made in Addendum 1 have been deleted as a result of the above new 'Note'. They are as follows:

- Addendum 1 Item 2 relating to review of Consultant past performance:
Review of Consultant past performance (where available from the Territory's data base) will be included in the evaluation process.
- Note in Addendum 1 Item 12 referees related:
The Territory reserves the right to contact referees to establish verification against statements made in response to Weighted Criterion 1 and 2.

4. **Clause 5.2.3** changed

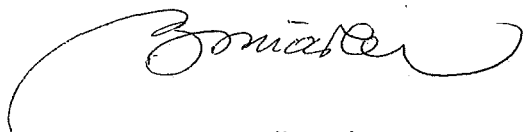
Deleted statement:

The Territory proposes that all rates remain locked for the first year of the panel.

New statement:

Members of the Panel will be permitted to request, on an annual basis, the adjustment of their rates. If that request is accepted by the Territory the rates will be adjusted from the relevant anniversary of the commencement date of the Panel Deed. Any agreed adjustments will be in accordance with the Wage Price Index- Australia – Private. The adjusted rates may be quoted and charged in new arrangements following the relevant anniversary but will not apply to current/existing engagements under the Panel Deed. Details of the process will be set out in the Panel Deed.

For further information, please contact Margaret Mialkowska, as the contact officer who is also named on the cover page of this RFT.



Margaret Mialkowska

Systems Manager – Health Infrastructure
Procurement and Capital Works
Email: margaret.mialkowska@act.gov.au

1 March 2016



ACT
Government

Chief Minister, Treasury and
Economic Development

IMPORTANT NOTICE

ADDENDUM 8 TO REQUEST FOR TENDER NO.27610.300

Panel of Suppliers for the Provision of Specialist Health Planning Services for Health Directorate

Please note the following information to be considered for the above Request for Tender (RFT):

Wording of Addendum 6

Potential respondents' attention is drawn to section 2 of Addendum 6. For the avoidance of doubt, notwithstanding the removal of Rates as a weighted criterion, "Rates" will remain an Evaluation Criterion but will be assessed on an unweighted basis. As such the heading "4.Rates" and the paragraphs under it are removed from the Table at section 3.4 of the RFT. A new section 3.4A is inserted as follows:

3.4A Evaluation Criteria – Unweighted criteria

The following criterion will be assessed on an unweighted basis.

Rates:

Tenderers are to provide loaded hourly, daily and monthly rates for each nominated personnel. All rates are to be GST exclusive. Tenderers must complete the Schedule of Rates within the RFT.

Note:

1. The daily rate is the maximum amount that can be charged by a person performing the services in a day, commencing at midnight and ending 24 hours later (allow 8 hours per working day);
2. The monthly rate is the maximum amount that can be charged by a person performing the services in a period of one calendar month duration (allow 20 working days);
3. All stated rates are to be loaded rates and shall include all overhead costs including, but not limited to travel (within the Territory), recreation leave, sick leave, long service leave, tools of the trade, ICT, phone, insurances, superannuation, administration/support staff, office costs and charges and the like.

4. The Territory will consider any specific requests for disbursements relating to interstate travel at the time specific services are sought from panel consultants. If the Territory agrees to any disbursements, they will be charged at cost and will require substantiation documentation.

Application of the SME Policy

Respondents are advised that the Weighted Criteria have been adjusted to include criterion set out in the *PC26: Support for Regional Small and Medium Enterprises (SMEs)*. The Circular is not specific on its application to Panel arrangements. The weighted criterion has been amended to include the policy for this Panel procurement. The percentage weightings for the other weighted criteria have therefore been readjusted to accommodate the inclusion of this additional weighted criterion. This has been done by readjustment of the original rates as opposed to the revised weightings as set out in Addendum 6 to ensure their relative importance remain the same subject to the inclusion of the additional 5%.

As such the Table at section 3.4 of the RFT is deleted and replaced with the following:

3.4 Evaluation Criteria – Weighted Criteria

Evaluation Criteria – Weighted Criteria

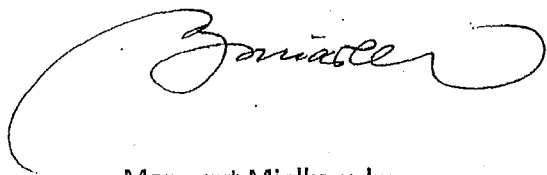
WEIGHTED CRITERIA	Weighting
<p>1. Experience in Public Sector Health Services Planning Environment:</p> <p>Tenderers must provide details demonstrating their organisation's experience in and providing consultancy assessments and reports in the Public Sector Health Services Planning Environment.</p>	43.85%
<p>2. Capability of nominated key personnel:</p> <p>Tenderers must provide details of their proposed personnel, including CV's and their experience with providing similar services.</p>	36.50%
<p>3. Understanding of Requirements</p> <p>Tenderers must demonstrate their understanding of the scope and objectives associated with the various categories of expertise they nominate to tender for.</p>	14.65%
<p>4. Regional Small Medium Enterprise (SME) or Subcontracting to Regional SMEs</p> <p>Definition: A regional SME is a business with fewer than 200 employees and located in Canberra or the following NSW Councils: Bombala, Boorowa, Cooma-Monaro, Eurobodalla, Goulburn-Mulwaree, Harden, Palerang, Queanbeyan, Snowy River, Upper Lachlan, Yass Valley or Young.</p> <p>(1) Is your organisation a regional SME: Yes / No?</p>	5%

<p>(2) If Yes, provide the address of your usual place of business.</p> <p>(3) If No, are you intending to sub-contract any component of a contract to a regional SME in the event you are selected as the preferred supplier: Yes / No?</p> <p>(4) If you are intending to sub-contract, please provide:</p> <p>(a) the names and ABN/ACN of the intended sub-contractors;</p> <p>(b) the types of services that will be provided by these sub-contractors;</p> <p>(c) evidence of the sub-contractor's agreement to provide the [Goods/Services] such as a letter or agreement; and</p> <p>(d) what percentage of the tendered work will be sub-contracted to each sub-contractor.</p> <p>Tenderers must provide evidence from any intended sub-contractor/s confirming that there is a proposed sub-contracting arrangement including the value of the work to be sub-contracted.</p>	
Total Score	100%

Note:

Tender Closing date remains 2:00PM Canberra time on 15 March 2016 (Tuesday).

For further information, please contact Margaret Mialkowska, as the contact officer who is also named on the cover page of this RFT.



Margaret Mialkowska

Systems Manager – Health Infrastructure
Procurement and Capital Works
Email: margaret.mialkowska@act.gov.au

7 March 2016

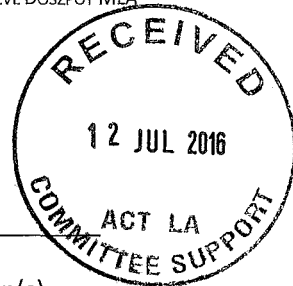


LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

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MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE DOSZPOT MLA

**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by MR DOSZPOT on 22 June 2016: MR TOMLINS took on notice the following question(s):

[Ref: Proof Hansard Transcript 22 June 2016 [PAGE 390]]

In relation to: Additional information on the MOU with Unions ACT

Mr Tomlins: On page 2 of the MOU under the definition of “employee”, it talks about anyone who works for a provider under a contract that is wholly or principally for the labour of a person. Then over on page 4 under “Part 4—project management”, it says that contracts that do not provide for the provision of labour are excluded from this requirement. The advice we have is that, essentially, it is construction and blue collar.

MR DOSZPOT: Can you take another question on board? My understanding is that other companies do have people who provide labour outside of the construction industry. The ICT industry is one of them. They are service technicians. There are people who lay cables and all sorts of labour is provided. They also provide services as well. So if you read the terms of the MOU, that covers just about every industry in Canberra.

Mr Tomlins: We will respond.

THE CHAIR: Perhaps you can take it on notice and respond.



Mr Barr: The answer to the Member’s question is as follows:–

The definition of Employee in the Memorandum of Understanding on Procurement of Works and Services by the ACT Government (MOU) is anyone who works for a provider/performer of works and services to the ACT Government under a contract that is wholly or principally for the labour of the person. It excludes persons who:

- are paid to achieve a specified result or outcome; and
- have to supply the plant and equipment or tools of trade needed to perform the work; and
- are, or would be, liable for the cost of rectifying any defect in the work performed; or
- have a personal services business determination in effect for the person performing the work under the *Income Tax Assessment Act 1997* (Cwlth).

Services outside of construction are captured by the MOU where they consist of the exertion of labour, such as cleaning or security. Work in the ICT space where it relates to the exertion of labour is covered by the MOU. Examples would be cabling and installing equipment that requires alteration of a physical environment (such as drilling, digging, electrical work, etc.).

Approved for circulation to the Select Committee on Estimates 2016-17

Signature: *Andrew Tan*

Date: *11.7.16*

By the A/g Minister for Economic Development, Simon Corbell MLA

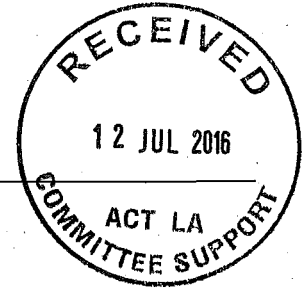


LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2016-17

MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE DOSZPOT MLA

ANSWER TO QUESTION ON NOTICE



Ms Lawder MLA: To ask the Minister for Education

Ref: Childcare, Education Directorate Budget Statement F, Output 1.1 Public School Education, p6, 11

In relation to:

1. Accountability Indicator a "Education and Care services satisfaction with assessment and monitoring functions" in Table 12 on page 11 has been discontinued in 2016-17. Why has this accountability indicator been discontinued? How will you assess Education and Care services satisfaction with assessment and monitoring functions going forward?
2. How many investigations did the Children's Education and Care Assurance conduct in 2015-16?
3. How many complaints did the Children's Education and Care Assurance Section receive in 2015-16 that related to:
 - a. non-compliance with the education and care legislation
 - b. health, safety or wellbeing of children or a child attending a childcare service
 - c. if other, please state nature of complaint
4. In 2015-16 how many compliance notices did the Children's Education and Care Assurance Section issue?
5. How many announced visits and unannounced visits did the Children's Education and Care Assurance Section conduct in 2015-16?

Mr Rattenbury MLA: The answer to the Member's question is as follows:-

1. During 2015-2016 the Directorate reviewed its accountability indicators for Education and Care Services.

The Performance Indicators "*Investigations of complaints commenced within stated policy timeframes*" and "*Education and Care services satisfaction with assessment and monitoring functions*" have been replaced to with the indicator "*Annual compliance audit is delivered in full*" to better reflect the Regulatory Authority's obligations under s260(c) of the *Education and Care Services National Law 2011* (the National Law).

The regulatory authority undertakes compliance audits of education and care services to establish the level of compliance with the National Law.

All 352 services have been risk assessed and given a risk rating. A schedule of compliance audits was developed according to the risk rating of each individual service. The schedule across the reporting period is comprised of a total of compliance audits and Assessment and Rating compliance checks.

Every year going forward, the Directorate will set out a specific target of compliance audits for the financial year for the purposes of the indicator.

The measurement of the indicator is to ascertain if the number of compliance audits prescribed by the target is completed within the financial year. This indicator will commence with the 2016-17 financial year.

2. Between 1 July 2015 and 10 June 2016 CECA conducted 136 investigations.
3. CECA receive complaints as either direct complaints from members of the public or as a notification from ECEC Providers. Between 1 July 2015 and 28 June 2016 the Regulatory Authority received 198 complaints.

Using the national electronic system, providers who notify complaints are offered a choice of recording notifiable complaint as either a breach in the National Law or the health and wellbeing of a child. Of the notifiable complaints, providers recorded 106 as relating to the health and wellbeing of a child. One provider recorded an alleged breach in the law.

The national electronic system does not allocate an option of health or wellbeing, or alleged breach of the law for complaints made directly to CECA. These make up the remaining 91 complaints. The national system then gives CECA an option to flag one or more of nine areas of breach that the complaint may engage. This option is not available to all complaints registered.

The nine categories are:

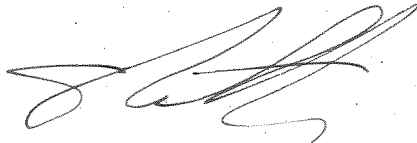
- Alleged Illegal Services
- Children's Health and safety
- Collaborate partnerships with families
- Education program and practice
- Leadership and service Management
- Physical environment
- Relationships with children
- Staff arrangements
- Other

No 'other' complaints were registered.

4. In the financial year 2015–16 CECA issued 14 compliance notices.
5. In the financial year 2015–16 CECA conducted 237 compliance audits.

Approved for circulation to the Select Committee on Estimates 2016–2017

Signature:



Date: 10/7/16

By the Minister for Education, Mr Shane Rattenbury MLA

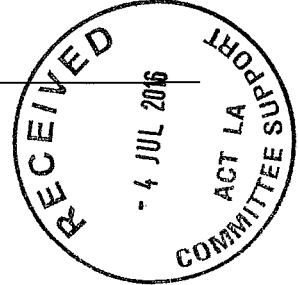


LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2016-17

MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE DOSZPOT MLA

ANSWER TO QUESTION ON NOTICE



Brendan Smyth: To ask the Treasurer

Ref: ACTIA Operating Statement at BPB P153, Table 7

In relation to the ACT Insurance Authority's claims expenses:

1. Why was there a substantial reduction in claims expenses from the 2015-16 budget to the estimated outcome for that year?
2. What benefit accrues to the Authority and the Territory due to the claims expenses' improvement in 2015-16?
3. What are the reasons for the 173 per cent increase in claims expenses in 2016-17 compared with the 2015-16 estimated outcome?

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

1. The reduction of \$46.4 million in claims expense is predominately due to a reduction in the Authority's outstanding claims liability which impacts the claims expense. The reduction in outstanding claims liability is due to an improvement in the actuarial assumptions applied when calculating the value of the Authority's outstanding claims liability. This improvement is the result of a less conservative claims reserving practice implemented by the Authority in 2014-15 and the Authority's claims management team settling several large medical malpractice and liability claims below reserve over the past five years.
2. The claims expense improvement results in a net forecast operating result for 2015-16 of \$40.7 million and a subsequent increase in net assets on the Authority's balance sheet.

The movement results in a technical adjustment to the Territories Headline Net Operating Balance for 2016-17, ACTIA liabilities – actuarial update and premium savings (\$44.512) (Budget Paper 3: Budget Outlook (Page 35) Table 2.1.3: Summary of major technical Adjustments since the 2015-16 Budget Review).

3. The increase of \$30.968 million in 2016-17 Budget compared with the 2015-16 estimated outcome is due to the claims expense returning to normal actuarial calculated levels for the cost of future claims.

Approved for circulation to the Select Committee on Estimates 2016-17

Signature: *Andrew Barr*

Date: 4.7.16

By the Treasurer, Mr Andrew Barr MLA



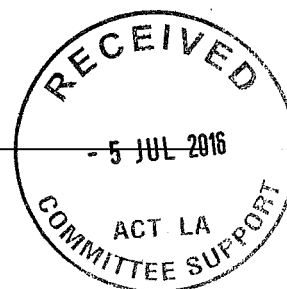
LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2016-17

MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE DOSZPOT MLA

ANSWER TO QUESTION ON NOTICE



Brendan Smyth: To ask the Chief Minister

Ref: 2016-17 BP3 Pages 175 – 177 and the Operating Statement at 309, Table 9.1

In relation to Grants and Purchased Services in Table 9.1 for the 2015-16 (Budget and Est Outcome), and the 2016-17 budget, and each year of the Forward Estimates:

1. What amounts are provided for:
 - a. Grants; and
 - b. Purchased Services?
2. In relation to 1. above, what amounts are provided in each year, for Purchased Services and for Grants, within each function listed in BP3 P172, Table 4.1.1?
3. In relation to 1. above, what amounts are provided in each year, for Purchased Services and for Grants, for each government Directorate?

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

1. This question has already been addressed via the response to QON No. E16-68.
2. Treasury's financial system does not readily allow identification of expenditure at the level of detail requested. Accordingly, this information cannot be provided without significant manual processing.
3. Grant expenses by Directorate are as follows:

	2015-16 Estimated Outcome \$'000	2016-17 Budget \$'000	2017-18 Estimate \$'000	2018-19 Estimate \$'000	2019-20 Estimate \$'000
CMTEDD	175,245	117,178	96,792	94,072	94,819
Health Directorate (including ACT LHN)	270,055	285,464	268,434	278,498	280,162
TAMSD (now TCCSD)	93,421	94,656	93,882	94,715	92,915
JACSD	3,634	4,137	1,068	1,053	1,111
Education Directorate	727	745	763	781	804
CSD	80,451	148,042	143,081	149,050	129,913
EPD	2,824	6,995	1,838	1,092	1,133
Total	626,357	657,217	605,858	619,261	600,857

Purchased Services expenses by Directorate are as follows:

	2015-16 Estimated Outcome \$'000	2016-17 Budget \$'000	2017-18 Estimate \$'000	2018-19 Estimate \$'000	2019-20 Estimate \$'000
CMTEDD	11,999	11,704	9,568	9,750	9,957
JACSD	185	186	191	191	191
Education Directorate	268,383	280,502	286,678	298,054	311,180
CSD	38,625	30,161	31,157	32,185	33,247
Health Directorate (ACT LHN)	18,232	19,218	33,161	34,113	34,720
Total	337,424	341,771	360,755	374,293	389,295

Approved for circulation to the Select Committee on Estimates 2016-17

Signature: *Andrew Barr*

Date: 5.7.16

By the Treasurer, Mr Andrew Barr MLA



LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2016-17

MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE DOSZPOT MLA

ANSWER TO QUESTION ON NOTICE



Brendan Smyth: To ask the Treasurer

Ref: Icon Water Cash Flow Statement at 2016-17 BPB Page 227, Table 6

In relation to Borrowings Received by Icon Water:

1. Why did Icon increase its borrowings in 2015-16 from a budgeted \$104 million to \$249 million?
2. Why do the cash receipts for borrowings fluctuate by hundreds of millions across the Forward Estimates?
3. What is the source of the borrowings?
4. What are these borrowings used for?
5. Who holds the cash received from these borrowings?

Mr Barr: The answer to the Member's question(s) are as follows:—

I am advised by Icon Water that:

1. The net borrowings for 2015-16 are estimated to be \$49.3 million or \$43.0 million below the original budget as shown in the following table:

Date	Borrowing Type	Gross Borrowings Received \$'000	Gross Borrowings Repaid \$'000	Net Borrowings \$'000
25 Nov 2015	120 Day Commercial Paper	70,000	(61,000)	9,000
23 Mar 2016	61 Day Commercial Paper	55,000	(70,000)	(15,000)
21 May 2016	10 Year Medium Term Note	125,000	(55,000)	70,000
Other Movements *		(1,000)	(13,656)	(14,656)
2015-16 Est Outcome		249,000	(199,656)	49,344
2015-16 Budget		104,000	(11,692)	92,308
Budget Variance				(42,964)

*Other Movements include amortisation of existing Index Annuity and Capital Indexed Bonds and that Commercial Paper is received on a discounted basis compared to the face value

The Cash Flow Statement shows the gross borrowings received and gross borrowings repaid. Icon Water rolled over (repaid and borrowed again) short-term borrowings (in the form of commercial paper) a number of times during 2015-16. Icon Water converted the short-term borrowings to ten year medium-term notes on the 21 May 2016.

2. The cash receipts from borrowings fluctuate more significantly in the years where a borrowing facility matures and it is repaid. Icon Water takes an assessment of what new borrowings are required, which may include borrowing a similar amount to the amount repaid on maturity.
3. The borrowings are sourced through the ACT Government.
4. The borrowings are used to repay existing debt facilities that are matured or to fund the Icon Water capital expenditure program and a portion of the ActewAGL capital expenditure program.
5. Icon Water receives and holds the cash received from borrowings.

Approved for circulation to the Select Committee on Estimates 2016-17

Signature: 

Date: 4.7.16

By the Treasurer, Mr Andrew Barr MLA

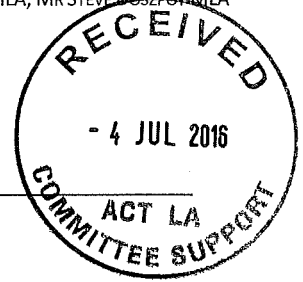


LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2016-17

MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE DODD MLA

ANSWER TO QUESTION ON NOTICE



Brendan Smyth: To ask the Treasurer

Ref: Icon Water Operating Statement, 2016-17 BPB, Page 223, Table 3 and Balance Sheet at BPB P224

In relation to Other Gains of \$25.772 million cited in the Operating Statement for the 2015-16 estimated outcome:

1. What:
 - a. Generated the variation of \$25.772 million compared with zero for the budget estimate; and
 - b. Causes gains in the out years to be much lower than in 2015-16?
2. What:
 - a. Comprises the intangible assets of \$23 million; and
 - b. Contributed to their increase from \$17 million in the 2015-16 budget?
3. Does Icon propose to build up intangibles over the forward estimates; and
 - a. If so, how would this be achieved?

Mr Barr: The answer to the Member's question(s) are as follows:—

I am advised by Icon Water that:

1.
 - a. The gain of \$25.772 million relates to the recognition of contributed and gifted assets received from the Land Development Agency (LDA) and other private land developers. The forecast for 2015-16 was updated to include the actual assets received to February 2016 and a further \$11.0 million in Moncrief assets forecast to be gifted by the LDA to Icon Water in June 2016.
 - b. Historically, Icon Water has not budgeted for these revenues due to the uncertainty in volumes. Icon Water is now in a position to budget for these revenues in line with historical averages.

2.

- a. The \$23.020 million of intangibles relate to 9.5 Gigalitres (GL) of NSW Regulated Murrumbidgee high security water entitlements that Icon Water has purchased. These are separate to the ACT Government's water allocation for urban consumption.
- b. Under the accounting standards, Icon Water is required to fair value its assets. As there is an active market for water licences, Icon Water can update the value of these assets on its balance sheet each year using the market price. The value per GL associated with these water licences has increased since the original 2015-16 budget was set resulting in an increase to the value of these licenses from \$17 million to \$23.020 million.

3.

- a. Based on the current climatic conditions and high level of water security, Icon Water is not anticipating to purchase additional water licenses.

Approved for circulation to the Select Committee on Estimates 2016-17

Signature: 

Date: 4. 7. 16

By the Treasurer, Mr Andrew Barr MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2016-17

MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE DOSZPOT MLA

ANSWER TO QUESTION ON NOTICE



Brendan Smyth: To ask the Treasurer

Ref: 2016-17 BPB Page 38, Table 38 Item (e)

In relation to Shared Services – attacks on ACT Government websites:

1. What has been the rate of attempted attacks on ACT Government websites and networks, and in this regard;
 - a. What compromises have occurred;
 - b. Has any data been lost or stolen; and
 - c. If so, when and where?
2. Have any government clients or Canberra's citizens been affected by these attempts; and
 - a. If so, what have these been?
3. Has there been any loss of revenue or data; and
 - a. If so, what has been the nature and extent of these losses?
4. Has it been possible to identify where any attempted attacks originated and if so;
 - a. Has any action been taken against the perpetrators?
5. What collaboration has there been between ACT Police, the AFP Cyber Crime Unit, other federal agencies, and with other state and territory jurisdictions, to ensure that ACT Government websites and networks are protected as effectively as possible?

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

1. The ACT Government websites and network are under continuous attack. The raw numbers of attacks offer little value, as they can be masked by legitimate scanning techniques used by search engines trying to gather information on the ACT Government.
 - a. There have been over several hundred social engineering (PHISHING) attacks on the ACT Government network. These attacks have had varying levels of success depending on the reaction of staff and technological defences (SPAM filters, Anti-Virus software, Internet Content filters, and Intruder Prevention Systems). The compromises that have resulted from these attacks are:
 - i. Nil, staff member activated the link and technology prevented any damage;

- ii. Lost credentials, staff members entered their ACT Government credentials into a false harvesting site. Immediately treated by changing staff members credentials; and
 - iii. File Encryption, staff members activating malicious software that commenced encrypting data files on the staff members PC and network.
- b. No data has been lost or stolen. The files impacted by encryption were fully recovered from backup.
 - c. No data has been lost or stolen.
2. During the reporting year, no clients or citizens have been impacted by cyber-attacks on ACT Government internally hosted systems.
 3. There has been no lost revenue or data as a result of these cyberattacks. The incident response strategy has negated potential impacts.
 4. The attacks originate from a wide range of sources and use techniques that mask the point of origin of the attacks. Where attack origins are potentially identifiable, these details are passed to appropriate authorities to follow up.
 5. The ACT Government works collaboratively with the Commonwealth's Cybersecurity Operations Centre (CSOC), the AFP for criminal matters, and other jurisdictions as required to ensure the ACT Government's cybersecurity defences are appropriate for the evolving threat environment.

Approved for circulation to the Select Committee on Estimates 2016-17

Signature: 

Date: 4.7.16

By the Treasurer, Mr Andrew Barr MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

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MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE DOSZPOT MLA

ANSWER TO QUESTION ON NOTICE



Ms Lawder MLA: To ask the Chief Minister:

[Reference: Access Canberra, Chief Minister, Treasury and Economic Development Directorate
Budget Statement B, Output 3.1 Access Canberra, p18, 33-34]

In relation to:

1. How many unfinalised applications for a working with vulnerable people registration card are currently with Access Canberra?
2. How many unfinalised applications for renewal of a working with vulnerable people registration card are currently with Access Canberra?
3. Is Access Canberra behind in processing applications for a working with vulnerable people registration card and/or applications for renewal of a working with vulnerable people registration card, including sending out renewal reminders, and if so, what are the reasons for this?
4. At any stage since January 2016 has Access Canberra been behind in processing applications for a working with vulnerable people registration card and/or applications for renewal of a working with vulnerable people registration card, and if so, what are the reasons for this?
5. Have any working with vulnerable people registration cards expired because of delay in processing by Access Canberra? If so, how many cards have expired?
6. What date was the Access Canberra website updated as below? What prompted this message?

- Access Canberra notes that in some cases disruption to duties have occurred in response to confirmation of current WwVP registration. Access Canberra is working to ensure WwVP registration holders can demonstrate compliance with the Working with Vulnerable People (Background Checking) Act 2011 (the Act) in order to carry out their daily roles.
- People who apply to renew their registration online, and before the expiry of their registration, will automatically receive a three month extension to their Working with Vulnerable People (WwVP) registration. They will be fully registered under the Act and can carry out normal duties.
- After lodging a registration renewal, applicants will receive a receipt from Access Canberra which will advise them of the extension. You may use this confirmation to substantiate your registration during the three month period period.
- Access Canberra anticipates that all renewals will be processed during this three month period, however applicants are still urged to lodge their renewal application as soon as possible after receiving their reminder.
- Your patience with this matter is genuinely appreciated. If you have any enquiries about the status of your application, please email wwvp@act.gov.au. see https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/2800/session/L2F2LzEvdGltZS8xNDY3MDA1MzY2L3NpZC8qMUVLVzNVbQ%3D%3D

7. Have any complaints been received about the delay in processing of working with vulnerable people registration cards by Access Canberra, and if so, how many?

CHIEF MINISTER: The answer to the Member's question is as follows:--

1. As at 29 June 2016, there are 752 applications for a new registration that have not been finalised. Of those, 652 are awaiting the results of the National Police History Check.
2. As at 29 June 2016, there are 1,285 applications for renewal in progress. Of those 777 are awaiting the results of the National Police History Check.
3. No.

4. Access Canberra has a service standard of completing 95 percent of Working with Vulnerable People applications within 20 business days. The total number of applications that have taken longer than 20 business days are as follows:

	Jan	Feb	March	April	May	June
Total applications received 2016	3703	5524	4016	4529	5257	6278 (29 June)
Outside service standard 2016	376	159	352	461	543	<i>Data not yet available</i>

Access Canberra has a contract for the provision of criminal history checks through Crimtrac. The agreed service standard is for 90 percent of enquiries to be finalised in 20 business days. Access Canberra cannot control the Crimtrac delivery timeframes, which is the same for all jurisdictions.

5. This information is not readily available. In November 2015 Access Canberra identified that it was possible that an individual's application may expire prior to a registration decision being made. Subsequently a process has been implemented where the registration is automatically extended for a period of three months once an application is lodged.
6. The website was updated on 5 May 2016 to further clarify and reinforce arrangements in relation to the three month extension period for renewals. This additional information was uploaded to inform individuals and employers that registrations would be automatically extended.
7. That information is not readily available. A number of systems in Access Canberra would need to be manually interrogated in order to identify whether any formal WWVP complaints were lodged. All contacts regarding the WWVP application process are treated as a high priority by Access Canberra.

Approved for circulation to the Select Committee on Estimates 2016-17

Signature: *Andrew Barr*

Date: **15.7.16**

By the Chief Minister, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2016-17

MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE DOSZPOT MLA

ANSWER TO QUESTION ON NOTICE



Ms Lawder MLA: To ask the Chief Minister:

[Reference: Access Canberra, Chief Minister, Treasury and Economic Development Directorate
Budget Statement B, Output 3.1 Access Canberra, p18, 33-34]

In relation to:

1. Since November 2015, what has the Environment Protection Authority done to rule out possible causes of the reported foul smell in Tuggeranong – please provide details
2. Since November 2015, what has the Environment Protection Authority done to locate the source of the foul odour – please provide details
3. Given that Access Canberra has been unable to exactly determine where the odour is coming from, have any sources been ruled out ie have any locations been determined to NOT be the source of the smell?
4. In Estimates hearings on 21 June 2016, Mr Greg Jones said that the face of the tip at the Mugga Lane Resource Management Centre is exposed early in the morning before the first truckloads of rubbish arrive. How often is the tip face capped throughout the day? How many times? When/what time is the final capping each day?
5. Have Access Canberra staff been up on Wanniasa Hills or in Macarthur or in Fadden at the time the uncapping takes place for several days in a row (rather than waiting for an odour to be reported?)
6. What is the capping process? How much soil or other materials is added for the capping? Are other materials such as rubber mat, carpet etc used?
7. Since November 2015, what has the Environment Protection Authority done at the Mugga Lane Resource Management Centre to try and locate the source of the odour?

CHIEF MINISTER: The answer to the Member's question is as follows:—

1. The Environment Protection Authority (EPA) has invested significant resources in investigating the complaints it has received but to date has not been able to conclusively determine the source of the odour. The EPA has undertaken numerous inspections of both the Mugga Lane Landfill and Corkhill Brothers composting facility; and 18 inspections (during the period 14 December 2015 to 4 April 2016) to the Mugga Lane Resource Management Centre (MLRMC) and surrounding residential areas and has found that all of these facilities are operating in accordance with their Environmental Authorisations. Given the distance of the complaints from landfill precinct the EPA has also investigated other possible sources including utilities, drains and open bodies of water.
2. As above.
3. Following investigations of potential sources close to the affected suburbs, no evidence was found that utilities (such as sewers), local drains or bodies of open water were likely to be the source of the odour.
4. Under clause 24.3 of the approved Environmental Authorisation (EA), Remondis are required to cover and uncover the compacted waste material on a daily basis using material approved by the Authority. The day cover is required to be applied at the end of each operational day and removed prior to the commencement of the next day's operations.

As per the EA the tip face is covered at the end of each operational day. This starts after the last deliveries at 5pm and is complete by 6pm.

The landfill contractor only operates a very small tipping face (generally 20m x 20m) which is opened daily at 6am to ensure garbage to garbage contact as per clause 24.3 of the EA noted above. This is completed at 6.15am to be ready for the arrival of commercial vehicles. With the volume of vehicles arriving at the site the open face is covered in fresh rubbish by approximately 7am and is covered continuously during the day as rubbish is delivered. Household trucks do not arrive on site until approximately 9am.

5. While Access Canberra has not specifically attended Wanniasa Hills, it has undertaken an extensive investigation into the possible source of the odour, including visits to the Mugga Land Resource Management Centre and attendance at the affected suburbs of Macarthur and Fadden. Remondis, as site operator, has an obligation to undertake its activities in accordance with its approved EA, including during the time the tip face is capped and uncapped.
6. Under clause 24.3 of the EA, Remondis are required to cover and uncover the compacted waste material on a daily basis using a material approved by the EPA. The rubbish at Mugga Lane Landfill is covered at the end of each day with a minimum of 150mm of soil to provide a trafficable service for vehicles to deliver rubbish. As the tip face advances, this is increased to a minimum of 300mm to satisfy interim capping requirements.
7. As outlined in response 1 above, the EPA has undertaken numerous inspections of both the Mugga Lane Landfill and Corkhill Bros composting facility in response to the complaints received and has found that both of these facilities are operating in accordance with their

Environmental Authorisations.

The EPA engaged with affected residents in an effort to identify the source of the odour and obtain more information about the nature and frequency of the odour. In response to complaints EPA officers have visited the MLRMC and surrounding residential areas on 14, 15, 19, 23 & 24 December 2015; 11, 20 and 28 January 2016; 5, 8, 15, 16, 22 and 29 February 2016; 11, 17 and 23 March 2016; and 4 April 2016. Multiple officers were present for the 20 and 28 January and 16 and 22 February inspections.

In consultation with the EPA, ACT NOWaste engaged an odour management expert to undertake a preliminary assessment of the MLRMC and Hume Resource Recovery Estate in April this year. Based on the preliminary investigation the Expert recommended that a stage-wise approach to dealing with any MLRMC odours be implemented, commencing with the collection of basic complaint and field data which should enable any MLRMC problem odour sources or operations to be identified. The subsequent project report will contain the findings of the field and complaints-based investigations, and form the basis for the development of odour mitigation measures, if found to be required.

The report also recommended the installation of a low wind speed meteorological station at the Mugga site. This weather station has been installed and is available for ACT NOWaste and the EPA to view and cross reference with odour complaints. To date, this assessment of meteorological conditions has been obtained from the Canberra Airport and Tuggeranong weather stations. It is hoped that the onsite weather station will provide more precise readings when investigating odour complaints.

In addition, ACT NOWaste, as part of the future expansion of the landfill and ongoing operations, has commenced the scoping of a suite of operational management plans for the Mugga Lane site. As part of these plans, an updated odour management plan will be developed.

Approved for circulation to the Select Committee on Estimates 2016-17

Signature: 

Date: 25.7.16

By the Chief Minister, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2016-17

MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE DOSZPOT MLA

**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by Mr Smyth on 22 June 2016 Mr Barr took on notice the following question(s):

[Ref: Proof Hansard Transcript [22 June 2016] [PAGE #393]]

In relation to: Lessee of the former Canberra and Region Visitors Centre

THE CHAIR: When capital metro moves in, is that capital metro ACT public servants or is it capital metro the consortium?

Mr Barr: The consortium.

THE CHAIR: The consortium?

Mr Barr: Yes.

THE CHAIR: And they will be charged rent, will they?

Mr Barr: That is an interesting question. I will need to check on that.

MINISTER FOR TOURISM AND EVENTS: The answer to the Member's question is as follows:—

No. The land and building at 330 Northbourne Avenue (Block 39 Section 6 Dickson) is included within the project area licence granted to the Canberra Metro consortium for use during construction of the light rail project. There is no rental charge associated with this licence.

Approved for circulation to the Select Committee on Estimates 2016-17

Signature: *Andrew Barr*

Date: 4.7.16

By the Minister for Tourism and Events, Andrew Barr MLA

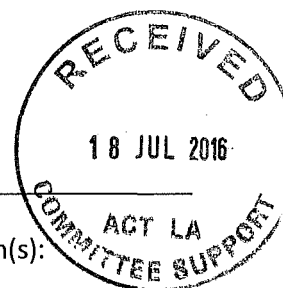


LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2016-17

MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE DOSZPOT MLA

**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by Mr Smyth on 22 June 2016 Mr House took on notice the following question(s):

[Ref: Hansard Transcript [22 June] [PAGE 411]]

In relation to: VisitCanberra, Venues and Events

A reconciliation to be provided for outputs 9.3 (VisitCanberra), 9.5 (Venues) and 9.6 (Events).

MINISTER FOR TOURISM AND EVENTS: The answer to the Member's question is as follows:—

[Insert answer to question taken on notice]

Output 9.3 VisitCanberra

The increase of \$0.004 million in total costs from the 2015-16 estimated outcome to 2016-17 Budget is mainly due to a new initiative for 'One Good Thing After Another' – Domestic and international marketing boost (\$2.3 million) and a change in the notional allocation of corporate overhead; partially offset by the impact of the rollovers from 2014-15 to 2015-16 (\$2.341 million).

Output 9.5 Venues

The increase of \$3.671 million in total costs from the 2015-16 estimated outcome to the 2016-17 Budget is mainly due to:

- new funding relating to the Test Match and One Day International Cricket for Canberra – Cricket Australia strategic partnership (\$1.391 million), and Bringing A-League football to Canberra (\$0.245 million);
- the transfer in of the Brumbies Performance Agreement management (\$1.227 million) from Output 9.4 'Sport and Recreation'; and
- a change in the notional allocation of corporate overhead.

Output 9.6 Events

The increase of \$3.376 million in total costs from the 2015-16 estimated outcome to 2016-17 Budget is mainly due to:

- the full year impact of the transfer in of the National Arboretum Canberra following the Administrative Arrangements (AAs) of 22 January 2016 (\$3.725 million); and
- an increase in support to significant community events in the Territory, including Enlighten, Canberra Day and SpringOUT (\$0.2 million);
partially offset by:
- general savings (\$0.250 million); and
- a change in the notional allocation of corporate overhead.

Approved for circulation to the Select Committee on Estimates 2016-17

Signature: *Andrew Barr*

Date: 18.7.16

By the Minister for Tourism and Events, Mr Andrew Barr MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2016-17

MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE DOSZPOT MLA

**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**

Asked by Mr Doszpot on 22 June 2016 Mr Stankevicius took on notice the following question(s):

[Ref: Hansard Transcript [22 June] [PAGE 401 - 402]]

In relation to: Trees at the National Arboretum Canberra



MR DOSZPOT: Regarding the arboretum, how many dead trees have been replaced?

Mr Stankevicius: It depends which year you are talking about.

MR DOSZPOT: Let us take the last financial year. Which ones have you got a record for?

THE CHAIR: How many years have you got?

Mr Stankevicius: In terms of the trees that have been replaced, I think last financial year it was about 900.

MR DOSZPOT: And the previous year?

Mr Stankevicius: I have not got the figures for the previous year, but we can provide those.

MR DOSZPOT: That would be good.

Mr Stankevicius: Yes.

MR DOSZPOT: Also, in which forests have the trees been replaced?

Mr Stankevicius: I do not have that list with me. I can provide that.

MR DOSZPOT: That is fine. If you can provide that as well, that would be good—for the past two years for starters.

Mr Stankevicius: Yes.

...

MR DOSZPOT: How much has the ACT government spent on replacing the dead trees each year since the first forest was planted?

Mr Barr: We will take that on notice.

MINISTER FOR TOURISM AND EVENTS: The answer to the Member's question is as follows: -

The Arboretum contains an estimated 44,000 trees over the 250 hectare site, including four pre-existing established forests. Of the 94 forests of tree species from around the world that exist at the Arboretum, 31 are considered threatened. This includes two species that are extinct in the wild, five that are critically endangered, 10 that are endangered and 14 that are considered vulnerable. Nine of these threatened species are native to Australia.

Although species were carefully chosen on the basis of their known characteristics and compatibility with the local conditions, it was not possible to determine their long term suitability until they had been planted. In this regard, there was an experimental aspect to some of the original plantings. This is part of what makes the Arboretum special and unique and it provides the basis for an active research program underway including growth monitoring and the ongoing collection of a wide range of data at the individual tree level via a purpose-built Tree App.

Trees fail and are replaced for a variety of reasons related to environmental factors and plant health. The reasons are often complex and inter-related, for example trees that are stressed by environmental conditions are more likely to be affected by insect attack or disease. Given the scale and characteristics of the Arboretum, the experimental nature of some of the plantings and the fact that we are managing living organisms, the loss of some trees is inevitable. It is important that we learn from such losses and apply new knowledge to management regimes.

Arboretum staff continually monitor and manage the health and condition of the forests through watering, fertilising, mulching, pruning, soil moisture monitoring, condition reports, systematic visual assessments and replanting.

Just over 1300 trees have been replaced in the past 2 financial years, as shown in the table below. A further 1500 trees are planned to be established in 2016-17.

FOREST SPECIES	CONSERVATION STATUS	NUMBER OF FAILED TREES REPLACED JULY 2014-JUNE 2016	COST (\$)
<i>Sophora toromiro</i>	Extinct in the wild	33	980
<i>Franklinia atalamaha</i>	Extinct in the wild	50	1,500
<i>Widdringtonia cedarbegensis</i>	Critically endangered	270	8,100
<i>Betula pendula ssp. Fontqueri</i>	Endangered	150	4,500
<i>Magnolia delavayi</i>	Threatened	5	138
<i>Eucalyptus lacrimans</i>	Threatened	20	600
<i>Chamaecyparis lawsoniana</i>	Near threatened	229	7,557
<i>Callitris oblonga</i>	Vulnerable	70	2,100
<i>Fagus sylvatica</i>	-	30	825
<i>Populus yunnanensis</i>	-	116	3,190
<i>Polulus euphratica</i>	-	36	963
<i>Sophora microphylla</i>	-	30	900
<i>Podocarpus totara</i>	-	150	4,500
<i>Styrax japonicus</i>	-	50	1,500
<i>Davidia involucrata</i>	-	72	2,100
Total		1311	\$39,452

Approved for circulation to the Select Committee on Estimates 2016-17

Signature: 

Date: 22.7.16

By the Minister for Tourism and Events, Andrew Barr MLA

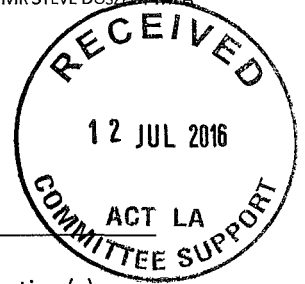


LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2016-17

MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE DOSZPOT MLA

**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by Mr Doszpot on 22 June 2016 Mr Stankevicius took on notice the following question(s):

[Ref: Hansard Transcript [22 June] [PAGE 403 - 404]]

In relation to: National Arboretum Canberra spend

MR DOSZPOT: BSH, page 30, what is the reason for the spend of \$220,000 in 2015-16 for the official opening of the Arboretum in 2013?

...

MR DOSZPOT: The two questions I have regarding it: why was payment made so long after the actual opening, and who was the payment made to?

Mr Stankevicius: Absolutely. We will definitely take those on notice and come back to you.

MINISTER FOR TOURISM AND EVENTS: The answer to the Member's question is as follows:—

The \$220,000 identified in Budget Paper H is a rollover from an appropriation of \$6.5 million in 2012-13. These funds were used for a range of projects required to enable the Arboretum to be opened to the public in February 2013.

The \$220,000 rollover in 2016-17 is required due to roof defects rectification taking longer than anticipated. The Treasury budget initiative naming conventions require the final works for this project remain within the original project title.

Approved for circulation to the Select Committee on Estimates 2016-17

Signature: *Andrew Barr*

Date: 11.7.16

By the Minister for Tourism and Events, Andrew Barr MLA

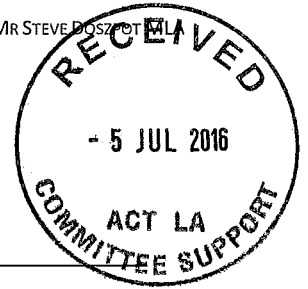


LEGISLATIVE ASSEMBLY
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**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by Mr Smyth on 22 June 2016, Mr Jeff House, Deputy Director-General, Enterprise Canberra, took on notice the following question(s):

[Ref: Hansard Transcript [22 June 2016] [PAGE 411]]

In relation to: Brumbies Performance Agreement

THE CHAIR: How much of that extra funding is for the Brumbies, and why are the Brumbies getting that?

Mr House: There is a three per cent increase in the performance fee for the Brumbies, which was significantly less than what was requested but was what was agreed to as part of the normal budget process and the renegotiation of their performance fee agreement.

THE CHAIR: The three per cent equates to how many dollars?

Mr House: I can provide the specific figure for you, Mr Smyth.

MINISTER FOR TOURISM AND EVENTS: The answer to the Member's question is as follows:—

The value of the three per cent increase in funding of the Brumbies Performance Agreement with the ACT Government in 2016-17 is \$36,445.29.

Approved for circulation to the Select Committee on Estimates 2016-17

Signature: *Andrew Barr*

Date: *4.7.16*

By the Minister for Tourism and Events, Andrew Barr MLA