



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 29 June 2016: Minister Corbell took on notice the following question:

Ref: Hansard Transcript 29 June 2016 Page 1006

In relation to: Reported cases of bullying.

How many cases of bullying have been reported?

Minister Corbell: The answer to the Member's question is as follows:–

ACT Health received 37 allegations of bullying and harassment complaints in 2015-16.

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

Signature:

By the Minister for Health, Simon Corbell MLA

Date: 11. 7. 16





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

Asked by Mr Smyth on 29 June 2016: Mr Strachan took on notice the following question:

Ref: Hansard Transcript 29 June 2016 Page 1018

In relation to: Administration staff in 1 Moore Street

How many administrative staff in 1 Moore Street?



Minister Corbell: The answer to the Member's question is as follows:—

There is accommodation space allocated for 146 administration staff. Of this, 24 accommodation spaces are allocated for administration staff providing direct support to a clinical service within the City Community Health Centre.

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



Asked by Mr Smyth on 29 June 2016: Mr Strachan took on notice the following question:

Ref: Hansard Transcript 29 June 2016 Page 1023

In relation to: Upgrading and maintaining health assets.

The \$95 million, what is the split between new works and maintenance?

Minister Corbell: The answer to the Member's question is as follows:—

The majority of this funding will be new works, similar in nature to capital upgrades, however, some works may fall into the maintenance category depending on the outcome of feasibility studies that will form part of the initial project activity.

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Date: 15.7.16

By the Minister for Health, Simon Corbell MLA



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

Asked by Mr Smyth on 29 June 2016: Minister Corbell took on notice the following question:

Ref: Hansard Transcript 29 June 2016 Page 1022

In relation to: Previous plans for Canberra Hospital upgrade.

How much was spent on the development of the previous set of plans for the Canberra Hospital upgrade?

Minister Corbell: The answer to the Member's question is as follows:-

\$2,180,999 was expended to complete early design and to inform a business case for a building at the Canberra Hospital. Within this total expenditure, \$423k was expended on building audits associated with Buildings 1, 10 and 12 at Canberra Hospital. The output of these audits is of significant benefit to ACT Health as it assists in the ongoing prioritisation of building upgrade and maintenance work at Canberra Hospital.

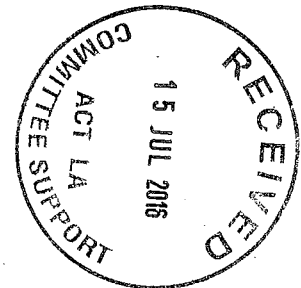
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**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**

Asked by Ms Burch on 29 June 2016: Minister Corbell took on notice the following question(s):

Ref: Hansard Transcript 29 June 2016 Page 1028

In relation to:

E-Health and the document tabled by Health officials.



Minister Corbell: The answer to the Member's question is as follows:–

The report titled '*Health-e Future - Detailed information for estimates - NOT FOR DISTRIBUTION Version 1.2*' that was provided to the Committee on 29 June 2016 is an internal report and was provided to the Committee to reconcile the \$69.09 million spent on e-health programs to date, and the delivery of the information and communications technology assets as part of that expenditure.

The report does contain some details on vendors and commercial conversations occurring on the progress of some of the projects.

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Signature:

By the Minister for Health, Simon Corbell MLA

Date: 12.7.16.



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

Asked by Mr Smyth on 29 June 2016: Mr O'Donoghue took on notice the following question(s):

Ref: Hansard Transcript 29 June 2016 Page 1035

In relation to: Breastscreening

The strategic objective number 4 on page 4 of budget paper C, it seems to have moved very little over the years. What is the dilemma there?

Is there a jurisdiction in the country that is doing better than we are and what are they doing different?

Minister Corbell: The answer to the Member's question is as follows:—

BreastScreen Australia through the Federal Government look at participation in international jurisdictions however BreastScreen ACT are unaware of any different strategies used internationally to improve screening participation.

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

Asked by Ms Burch on 29 June 2016: Ms Feely took on notice the following question(s):

Hansard Transcript of 29 June 2016, Page 1036

In relation to: Emergency dental health services

In the emergency clients seen within 24 hours, what sorts of numbers are we looking at?

Minister Corbell: The answer to the Member's question is as follows:—

The Dental Health Program treats approximately 30-35 emergency dental clients per week. These patients are seen in the Community Health Centre Dental Clinics at Phillip, Civic and Belconnen. The process is that the client contacts Community Health Intake or walks into a Health Centre. From there, they are triaged using the DHP Dental Triage Tool. If the tool measures the patient as an emergency case, the patient is offered an appointment for a time within 24 hours, at one of the Dental Clinics.

In addition, a weekly average of 2-3 presentations to the ACT Public Emergency Departments in the 2015-16 financial year had a dental related primary diagnosis. Of these, it is not possible to differentiate true emergency dental presentations from less urgent or non urgent dental presentations.

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ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS

Asked by Mr Hanson on 29 June 2016: Mr Thompson took on notice the following question(s):

Ref: Hansard Transcript 29 June 2016 Page 1038

In relation to: Walk in Centres

- 1) How many presentations were there to the Belconnen Walk in Centre
- 2) How many presentations were there to the Tuggeranong Walk in Centre
- 3) What is the nature of the presentations to the Belconnen Walk in Centre
- 4) What is the nature of the presentations to the Tuggeranong Walk in Centre
- 5) What is the breakdown of people referred from the Belconnen Walk in Centre
- 6) What is the breakdown of people referred from the Tuggeranong Walk in Centre
- 7) What is the breakdown of staff numbers
- 8) Are the operating hours still the same



Minister Corbell: The answer to the Member's question is as follows:-

- 1) From 1 July 2015 to 29 June 2016, there has been a total of 16,101 presentations to the Belconnen Walk in Centre
- 2) From 1 July 2015 to 29 June 2016, there has been a total of 17,502 presentations to the Tuggeranong Walk in Centre
- 3) The top ten reasons for presenting to the Belconnen Walk in Centre in 2015-16 has been:

Presentation Reason	Presentations	Proportion of total presentations
URTI COMMON COLD	2644	16.42%
WOUND DRESSING	968	6.01%
WOUNDS AND LACERATIONS LACERATION	776	4.82%
EAR CONDITIONS EAR WAX	521	3.24%
OTHER - SKIN CONDITION	504	3.13%
OTHER - MUSCULOSKELETAL	487	3.02%
GASTROENTERITIS DIARRHOEA	409	2.54%
URTI SORE THROAT	319	1.98%
OTHER - ENT	314	1.95%
WOUNDS AND LACERATIONS ABRASIONS	278	1.73%

- 4) The top ten reasons for presenting to the Tuggeranong Walk in Centre in 2015-16 has been:

Presentation Reason	Presentations	Proportion of total presentations
URTI COMMON COLD	2454	14.02%
WOUND DRESSING	919	5.25%
WOUNDS AND LACERATIONS LACERATION	704	4.02%
EAR CONDITIONS EAR WAX	525	3.00%
OTHER - MUSCULOSKELETAL	495	2.83%
OTHER - SKIN CONDITION	474	2.71%
URTI SORE THROAT	436	2.49%
GASTROENTERITIS DIARRHOEA	406	2.32%
GASTROENTERITIS VOMITING	365	2.09%
OTHER - ENT	334	1.91%

- 5) From 1 July 2015 to 29 June 2016, there were a total of 5,558 referrals (redirections) from the Belconnen Walk in Centre. 4,062 (25.2% of total presentations) were redirected to a GP. 782 (4.9% of total presentations) were redirected to the emergency department.
- 6) From 1 July 2015 to 29 June 2016, there were a total of 5,906 referrals (redirections) from the Tuggeranong Walk in Centre. 3,814 (21.8% of total presentations) were redirected to a GP. 1,505 (8.6% of total presentations) were redirected to the emergency department.

It should be noted that re-directions includes clients who have been seen appropriately and then re-directed for follow-up.

- 7) The breakdown in staffing numbers, per location are:

Belconnen

Budget 10.31 FTE Nurses comprised of:

Clinical Nurse Consultant 1.0 FTE

Nurse Practitioners 3.3 FTE

Advanced Practice Nurses 6.0 FTE

Reception Staff 3.0 FTE (not included as managed by another cost centre)

Assistant Director of Nursing apportioned FTE 0.25 (Not included)

Actual Nurse Staffing is as follows:

Clinical Nurse Consultant 1.0 FTE

Nurse Practitioners 1.0 FTE

Advanced Practice Nurses 8.46 FTE

Tuggeranong

Budget 10.31 FTE Nurses comprised of:

Clinical Nurse Consultant 1.0 FTE

Nurse Practitioners 3.3 FTE

Advanced Practice Nurses 6.0 FTE

Reception Staff 3.0 FTE (not included as managed by another cost centre)

Assistant Director of Nursing apportioned FTE 0.25 (Not included)

Actual Nurse Staffing is as follows:

Clinical Nurse Consultant 1.0 FTE

Nurse Practitioners 2.0 FTE

Advanced Practice Nurses 7.67 FTE

- 8) The hours of operations have changed from 0700hrs – 2300hrs to 0730hrs – 2200hrs.

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Date: 11.7.16.



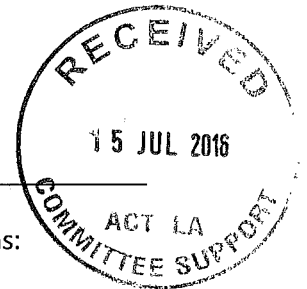
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ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS



Asked by Mr Hanson on 29 June 2016: Mr Corbell took on notice the following questions:

Ref: Hansard Transcript 29 June 2016; PAGE 122 (UPT)

In relation to: Emergency Department

- 1) For the period 1 March to 27 June 2016, what was the breakdown of presentations to the emergency department by triage category for each hospital and how does this compare with the corresponding period in 2015.
- 2) For the period 1 March to 27 June 2016, what was the breakdown of admissions via the emergency department by triage category for each hospital and how does this compare with the corresponding period in 2015.

Minister Corbell: The answer to the Member's question is as follows:-

- 1) For Canberra Hospital, the breakdown of presentations by triage category is as follows:

Canberra Hospital	1 March 2015 - 27 June 2015	1 March 2016 - 27 June 2016	Variance
Category 1	107	129	20.6%
Category 2	2750	2971	8.0%
Category 3	8055	9176	13.9%
Category 4	10305	11026	7.0%
Category 5	2921	3079	5.4%
Total	24138	26381	9.3%

For Calvary Public Hospital, the breakdown of presentations by triage category is as follows:

Calvary Public Hospital	1 March 2015 - 27 June 2015	1 March 2016 - 27 June 2016	Variance
Category 1	59	64	8.5%
Category 2	1219	1797	47.4%
Category 3	6478	7671	18.4%
Category 4	7615	6974	-8.4%
Category 5	2922	2358	-19.3%
Total	18293	18864	3.1%

2) For Canberra Hospital, the breakdown of admissions via the Emergency Department by triage category is as follows:

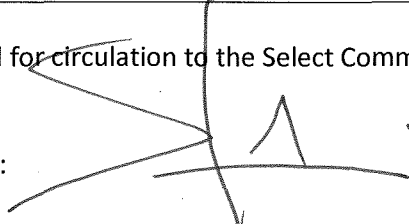
Canberra Hospital	1 March 2015 - 27 June 2015	1 March 2016 - 27 June 2016	Variance
Category 1	93	118	26.9%
Category 2	1866	2147	15.1%
Category 3	3647	4567	25.2%
Category 4	2250	2796	24.3%
Category 5	154	211	37.0%
Total	8010	9839	22.8%

For Calvary Public Hospital, the breakdown of admissions via the Emergency Department by triage category is as follows:

Calvary Public Hospital	1 March 2015 - 27 June 2015	1 March 2016 - 27 June 2016	Variance
Category 1	40	48	20.0%
Category 2	607	870	43.3%
Category 3	2057	2409	17.1%
Category 4	825	742	-10.1%
Category 5	117	77	-34.2%
Total	3646	4146	13.7%

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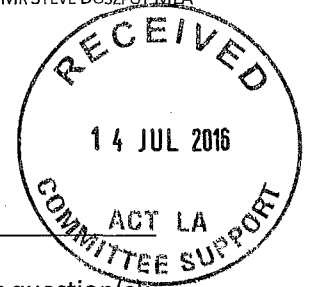


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**ANSWER TO QUESTION TAKEN ON NOTICE
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Asked by MR DOSZPOT on 30 June 2016: MR GENTLEMAN took on notice the following question(s):

[Ref: Hansard Transcript [30 June 2016] [PAGE 1096-1098]]

In relation to: MOU with UnionsACT

- a) Which suppliers and service providers have received the MOU, and what accompanying advice was given to them?
- b) How is the MOU practically applied? Is it included in procurement manuals and directives?
- c) Is the MOU a standard compliance requirement in request for tender documents?
- d) How is a prospective tenderer or bidder advised on or become aware of a compliance requirement outlined in the MOU?

Minister for Workplace Safety and Industrial Relations: The answer to the Member's questions are as follows:—

I am advised that:

- a) The MOU is not provided to suppliers and service providers as a general rule, as it is designed to guide government decision making and policy development and does not directly impose requirements or obligations upon suppliers and service providers.

The Capital Metro Agency (CMA), which managed its procurement processes independently, provided a copy of the MOU as part of a suite of documents to tenderers for the light rail project. At this time, CMA advised bidders that the ACT Government would not be consulting with the unions as the bidders had already met pre-qualification requirements during the project's EOI process. Bidders were also advised that they were not required to take any further action in relation to the MOU.

- b) The MOU is given practical effect through a number of policy and procedural mechanisms, specifically the ACT Prequalification Framework, the Ethical Suppliers and Industrial Relations and Employment requirements and the provision of lists of candidates for prequalification and government contracts to UnionsACT. As the MOU does not in itself impose requirements or obligations upon suppliers and service providers, it is not included separately in procurement manuals and directives.

- c) The MOU is not a standard compliance requirement in request for tender documents; however, compliance with the several procedures and mechanisms which give effect to the objectives of the MOU (the ACT Prequalification Framework and the Ethical Suppliers and Industrial Relations and Employment conditions) is a requirement for tenderers.
- d) The compliance mechanisms which give effect to the objectives of the MOU (the ACT Prequalification Framework and the Ethical Suppliers and Industrial Relations and Employment requirements) are publicly available on the Tenders ACT and the Procurement and Capital Works websites. Where relevant to a particular contract they are included in the request for tender documents.

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**ANSWER TO QUESTION TAKEN ON NOTICE
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Asked by Mr Smyth MLA on 30 June 2016: The Minister for Workplace Safety and Industrial Relations took on notice the following question(s):

[Ref: Hansard Transcript, 30 June 2016, p. 1100]

In relation to: deaths on ACT worksites

THE CHAIR: [...] is it true that where the deaths and injuries occurred were all on worksites that had union EBAs in place?

Mr Gentleman: I must say that I have not drilled down far enough to see that.

THE CHAIR: Is it possible, given this is industrial relations and in particular “workplace injury management—industrial relations policy” to find that out?

Mr Gentleman: Yes, certainly. I will take that on notice.

MINSTER GENTLEMAN: The answer to the Member’s question is as follows:—

Commercial arrangements such as EBAs are not requested or recorded by Access Canberra as there is no legislative basis for requiring this information.



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**ANSWER TO QUESTION TAKEN ON NOTICE
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Asked by Mr Smyth on 30 June 2016: Mr Young took on notice the following question:

Ref: Hansard Transcript 30 June 2016, Page 1103

In relation to:

THE CHAIR: On page 21 of budget paper B, table 15 shows total cost jumped from \$11 million to \$35 million. As you have explained, it is the merging of two classes. Could we have a reconciliation of the ins and outs? Does the \$35 million and the \$23 million controlled payment indicate an increase for this output class or is there a decrease?

Mr Young: I think what is happening there, as the minister indicated, is the supplementation of funding for Comcare costs is being accounted for there. The difference between the \$35 million and the \$23 million is that the \$7 million in offsets that we are taking from the previous refunds does not appear in the controlled recurrent payments but it does appear in the total costs. I will provide the reconciliation on those.

Minister Gentleman: The answer to the Member's question is as follows:

The increase of \$23.662 million in total costs from the 2015-16 estimated outcome to the 2016-17 Budget is mainly due to a change in the way whole of government supplementation funding for workers' compensation is treated. In 2016-17, supplementation funding is centrally allocated to Output Class 5.1, whereas in previous years it was allocated directly to multiple agencies.

The difference between the 2016-17 total costs and controlled recurrent payments estimates is primarily due to \$7.487 million of the aforementioned workers' compensation supplementation funding for 2016-17 being derived from other revenue, namely past year Comcare premium refunds and recoveries. Other revenue of this type does not appear as a controlled recurrent payment, but does appear in the total costs category. This can be seen in more detail in Table 68, page 89 of the ACT Budget 2016-17, Budget Statements B

(http://apps.treasury.act.gov.au/data/assets/pdf_file/0010/869977/B-CMTEDD-Budget-Statements.pdf).

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



Asked by Mrs Dunne MLA on 30 June 2016: The Minister for Workplace Safety and Industrial Relations took on notice the following question(s):

[Ref: Hansard Transcript, 30 June 2016, p. 1105]

In relation to: demolition of old Belconnen Police Station and Belconnen Remand Centre.

MRS DUNNE: I would seek some guidance as to whether this is the right place to ask the questions. I have had some concerns raised with me about safety on the demolition of the old Belconnen police station and BRC because of bonded asbestos. The demolition was conducted on a windy day and there seemed to have been a lot of dust spread across the shopping centre and the area around there. I was wondering what precautions were taken and what steps were taken beforehand to identify the extent of bonded asbestos—and it is my understanding there is a lot of bonded asbestos in the old BRC—and what protocols were in place beforehand. Why was the demolition conducted on such a windy day—I thought Mr Phillips might be the person to answer this question—without there being any watering down of the site?

Mr Gentleman: There are some key safety measures that need to be put in place around bonded asbestos, not so much as you would have for loose-fill asbestos, of course, and we have seen how that works with Mr Fluffy. Mr Phillips has, I think, some detail for us. I will ask him to answer for you.

Mr Phillips: I am not aware of complaints being made but I will take it on notice and get back to you.

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

The bonded asbestos previously contained at the old Belconnen Police Station and BRC was removed prior to the demolition.

Asbestos removal at all sites across the ACT is subject to an Asbestos Removal Control Plan and involves WorkSafe ACT being notified in writing five days prior to work being undertaken. All works are undertaken under the supervision of a licensed Asbestos Assessor.

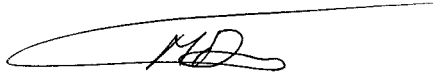
WorkSafe ACT received the Notice of Asbestos Removal Work at the former Belconnen Police Station from a licensed asbestos removalist in December 2015.

The demolition contractor undertook the demolition work in accordance with the Notice. Subsequently, an Asbestos Clearance Certificate was issued for the site.

The Certificate, issued on 22 January 2016, states that the site has been inspected and cleared for further use.

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**ANSWER TO QUESTION TAKEN ON NOTICE
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Asked by Mr Smyth on 30 June 2016: Ms Savage took on notice the following question:

Ref: Hansard Transcript 30 June 2016, Page 1108

In relation to:

THE CHAIR: My reading of it is that the cleaning industry will run a deficit in 2016-17. This is page 13 on the statement of intent.

Mr Gentleman: We might take that on notice, Mr Smyth.

Ms Savage: Yes, I will take that one on notice.

THE CHAIR: If you could just clarify, that would be kind.

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

The Contract Cleaning Industry Scheme is projected to incur a small deficit of \$0.067 million in the 2016-17 financial year due to a revised return on investments of 6.5 per cent per annum (from 7.5 per cent per annum) combined with a reduction in the contribution levy rate from 2.00 per cent to 1.6 per cent effective from 1 April 2015. The Scheme's assets over liability ratio is anticipated to remain at 140 per cent in the 2016-17 financial year with sufficient assets to meet liabilities when they fall due.

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QTON No. E16-315

Type of Questions	No	Received / hearings Date	Asked By	Directorate / Portfolio	Subject	Answer date	Minister name	Transcript page no for QTON	Remark
QTON	315	30/06/2016	Hinder	CMTEDD - Asbestos	Crown lease contains any guarantees about non-contamination	30/06/2016	Gentleman	UPTp.86. Corrected proof p. 1121	Answered at hearings

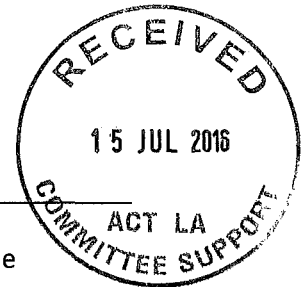


LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

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 Jeremy Hanson MLA on 30 June 2016: Mr Andrew Kefford took on notice the following question(s):

[Ref: Hansard Transcript 30 June 2016, Page 1122]

In relation to: clearing of blocks following demolition of a Mr Fluffy property:

MR HANSON: I just want to get a characterisation that there was no decision or announcement that the topsoil on the entire block was going to be removed. I can remember being in hearings when we discussed that. The plan was that the entire block was going to be scraped. I cannot remember what the depth was. I think 30 centimetres might have been the amount. We had long discussions about it because it was then about how much of that waste was going to be taken to the tip and so on. I thought that that was part of the plan. That was certainly advised to members as the way it was going to be done, and to Fluffy home owners as to what was to occur. Whether you agreed with it or not, there was some concern about why we were getting rid of swimming pools, sheds and so on. The evidence that was provided was adamant that it was required and the whole block was going to be scraped. That was the advice that was given to the committee.

Mr Gentleman: As we said—

MR HANSON: To say that was never part of the plan, when advice was given to both the committee and residents—

Mr Gentleman: As Mr Kefford said—and I have not looked back to see whether or not that was the position committed to the community—you certainly learn as you go. If the community or the particular owner has indicated that they do not want that block scraped to the edges and the soil validity test later on suggests that the block is safe then that is the appropriate way to go, I think. We have been learning as we go. This has been a learning experience—

MR HANSON: But we presented evidence that it must be cleared.

Mr Gentleman: from the very start. I must say that I think some of the learnings have been very good. We know that demolitions are getting quicker. That is a good thing. We know there is safety in that as well. I will take on notice the comment that you have made with regard to scraping the whole block because I have not seen that and I do not recall it at all.

MR HANSON: If you could just clarify that? If that was the decision then that is the way it was. There was a plan to scrape the whole block. That was the evidence given. The costings were based on that, from my recollection. If that decision was changed for various reasons then that is one thing, but to characterise that that was never part of the plan, unless my memory is completely wrong—

Mr Kefford: If that was the impression that I gave in my earlier answer, that was not where I was going; absolutely. I remember sitting here and answering questions with former Chief Minister

Gallagher about this point. At one point certainly we were contemplating scraping the whole block but, as the minister has outlined, the response to this has evolved over time. Certainly at the point we published the first right of refusal policy, having concluded those discussions, it was very clear that we would not be because we did not need to. I am happy to look at the records of the previous hearings and come back to you on notice.

MR HANSON: What was the evidence that was provided? Is there a document? Was an analysis done that said that you did not need to clear the whole block? Where is the science behind it?

Mr Mick Gentleman MLA: The answer to the Member's question is as follows:—

The approach to the clearing of affected blocks under the Loose Fill Asbestos Insulation Eradication Scheme (the Scheme) has evolved in light of expert advice, collaboration in policy design and program delivery, and expressed community and former owner sentiment since 2014.

This evolution of the Government's approach has been clearly communicated to the Legislative Assembly, directly to affected homeowners, and to the wider community through the Asbestos Response Taskforce (Taskforce) e-newsletters and website as well as mainstream and social media.

Demolition Scope

It is not necessary, desirable, or efficient to clear affected blocks "corner to corner".

While the scope of necessary demolition works is ultimately and properly controlled by the licensed asbestos assessor overseeing each demolition, there is no evidence or scientifically-based suggestion that it is necessary to completely raze every affected block to eradicate the loose fill asbestos insulation present. The Government's approach to demolition is further informed by advice from the Land Development Agency and real estate agents engaged to market remediated blocks about the attractiveness and added value of established gardens and trees as well as the expressed desires of owners of affected blocks (especially where they are seeking to exercise a first right of refusal) and of neighbours of affected blocks. It takes account of the need for efficiency in the demolition program, and to avoid unnecessary cost to the community.

The Government's approach to demolition of affected houses has been developed by the Taskforce in consultation with WorkSafe ACT, Procurement and Capital Works, and licensed asbestos assessors. It is informed by evidence gained in the pilot demolition program, and takes account of national guidelines and best practice including the *National Environment Protection (Assessment of Site Contamination) Measure (1999) (ASC NEPM 2013)* and *The Guideline for the Assessment, Remediation and Management of Asbestos Contaminated Sites in Western Australia*. Its implementation is overseen by WorkSafe ACT and the licensed asbestos assessor responsible for each demolition, and is further subject to subsequent satisfactory completion of independent soil validation processes (including further soil removal) before an affected block can be removed from the Affected Residential Premises Register established under the *Dangerous Substances Act 2004* and made available for sale and reoccupation.

Completely clearing affected blocks would add significantly to overall Scheme costs, as well as the volume of waste to be safely disposed of, without any health and safety benefit in relation to loose fill asbestos insulation, and at a likely significant detriment to land sales revenue and individual and community satisfaction and amenity.

The independent soil validation process utilised by the Government in determining when an affected block should be deregistered was self-imposed to provide further assurance to prospective purchasers of those blocks that loose fill asbestos insulation had been effectively removed, and

blocks suitable for reoccupation and rebuilding. Further detail of this process is contained in the relevant joint WorkSafe ACT/Taskforce fact sheet¹.

Background – An Evolving Response to an Unfolding Crisis

The policy and regulatory underpinnings of the Government's response to the continuing contamination of 1,022 Canberra houses with loose fill asbestos insulation has, of necessity, evolved as the Government's and community's knowledge of the health, social, practical and financial consequences of this legacy issue have emerged in the aftermath of the Work Safety Commissioner's letter of 18 February 2014. This means that, at times, early views have been expressed which have subsequently been reviewed and refined based on further experience, expert advice as well as expressed community and affected owner preferences.

At the time of the announcement of the Scheme on 28 October 2014 and during the inquiry by the Standing Committee on Public Accounts (PAC) into the *Appropriation (Loose Fill Asbestos Insulation Eradication) Act 2014-15*, the position adopted was, in general, affected blocks would be cleared. Indeed, in public commentary "scraping the block" or "clearing corner to corner" were used. This language was properly used at the time based on the then understanding of relevant issues. Such language was, however, consistently qualified by the overriding caveat that post-demolition soil removal would be guided by scientific evidence of asbestos contamination as directed by licensed asbestos assessors.

Chronology – Approach to the Clearing of Affected Blocks

The development and public narrative surrounding the Government's position in relation to this issue is set out in the following chronology.

On 28 October 2014, the then Chief Minister Ms Katy Gallagher was quoted in *The Canberra Times* stating²:

"The block is essentially scraped, so the trees will go, the garden will go, the pool will go, everything will go,"

In the PAC hearing on 28 November 2014, the Taskforce Head canvassed this issue with Mr Coe³:

MR COE: With regard to that 300 cubic metres per house, does that include the scraping of soil taken off the block? ...

Mr Kefford: The code of practice which we are in the process of finalising with the Work Safety Commissioner for the demolition process indicates the area of the footprint of the house and then between two and three metres excavated to 100 millimetres as a matter of course. But then the digging that goes on beyond that is testing driven. If asbestos is found at that depth or at the edge of that perimeter, we will either go down or out until we stop finding the amosite asbestos. The block at Downer, we did take 300 millimetres off the whole block. That was a predetermined depth and decision to do that. We have also indicated, though, getting to the other part of your question, that the expectation is that blocks will be cleared, recognising that the government has made decisions in relation to future development on the blocks and part of repairing [sic.] those blocks for that work will be clearing.

MR COE: But that is a commercial decision as opposed to an asbestos-driven decision?

Mr Kefford: For that element, we will not be digging the block; we will simply be clearing it in preparation for future development. In terms of the digging and removal of soil, that is ultimately a testing-driven thing so that either the depth that we go to or the extent around what was the footprint of the house will be determined by the asbestos assessor on the day of demolition.

¹ http://www.asbestostaskforce.act.gov.au/_data/assets/pdf_file/0004/785623/ART-WorkSafe-SoilValidation-InfoSheet-20151110.pdf

² <http://www.canberratimes.com.au/act-news/mr-fluffy-houses-will-be-demolished-says-chief-minister-katy-gallagher-20141028-11czbh.html>

³ <http://www.hansard.act.gov.au/hansard/2013/comms/public31a.pdf> at pp.10-11

Later in that same hearing, the following exchange occurred⁴:

MS LAWDER: You mentioned before that people's houses are still there and their lovely gardens. Will people be able to remove plants from their gardens and give them to others or take them with them to their new homes?

Mr Kefford: Yes, in most cases. Leaving aside what can physically be done, our advice is that there is no reason why we could not move plants, particularly where people have indicated they do not wish to return to the block. They can be taken, yes.

THE CHAIR: As a supplementary, if they do wish to return to the block, will the block have to have all the plant covering removed?

Mr Kefford: This is where we got to this morning, Mr Smyth. The starting point is that the blocks are cleared, yes.

Scheme Policy Documents

The Scheme policy documents, sent directly to owners of affected properties at the end of October 2014 (and available to the public on the Taskforce's website⁵) set out the Government's preferred approach to delivering an enduring solution to the Mr Fluffy issue. The *Overview* document provides⁶:

While actual decisions on appropriate demolition methodologies will be determined on a case by case basis as part of settling the site specific Asbestos Removal Control Plan, most affected houses are unlikely to need to be demolished in a 'bubble'. Following the removal of the bulk of remaining loose asbestos fibres by licensed asbestos removalists, the remaining structure will be demolished in a controlled fashion using appropriate dust suppression to ensure any remaining fibres not bonded to the structure of the house are not released to the air. The Taskforce is working with regulators and licensed asbestos assessors, removalists and demolition contractors to settle safe and cost effective approaches to demolition and will commence a pilot program of demolitions in early 2015. It is not anticipated significant demolition activity will commence until mid 2015. The final approaches adopted by the Taskforce to this process will be informed by the experiences and data gained through the pilot demolition program. Once an affected house has been demolished, soil will be removed from the footprint of the house and an area surrounding it. The final depth and extent of soil removed will be based on testing for contamination. Once all contaminated soil has been removed, the block will be remediated to natural ground level with clean fill.

The *Supporting Detail* document sets out that⁷:

The Taskforce is working with industry on a range of considerations in relation to a demolition program. It has developed a draft code of practice for the asbestos removal and demolition of affected homes. This Code will apply the requirements of the National Code of Practice for the Removal of Asbestos to the specific situation of these affected homes. This Code is expected to be adopted as a regulatory instrument under *Work Health and Safety Act 2011* and *Dangerous Substances Act 2004*. The Code is expected to be published by the Work Safety Commissioner as a guidance note in the interim.

Following demolition of an affected home, soil will be removed from the footprint of the house and an area surrounding it in accordance with the methods and standard prescribed under the *Environment Protection Act 1997*.

The code of practice for demolition includes a section on block remediation that requires:

- soil to be removed to a depth determined by testing undertaken by an asbestos assessors (but to a minimum of 100mm);
- clean soil to be brought to the site and stabilised by qualified civil contractors; and
- the site to be topsoiled and grassed to minimise erosion.

⁴ <http://www.hansard.act.gov.au/hansard/2013/comms/public31a.pdf> at p.57

⁵ <http://www.asbestostaskforce.act.gov.au/>

⁶ http://www.asbestostaskforce.act.gov.au/data/assets/pdf_file/0006/681090/The-ACT-Governments-Preferred-Way-Forward-On-Loose-Fill-Asbestos-Overview.pdf

⁷ http://www.asbestostaskforce.act.gov.au/data/assets/pdf_file/0009/675504/Policy-Framework-Final-Supporting-Detail-28102014.pdf

Community Views

At the end of 2014, the Taskforce was continuing to receive significant concerns about “unnecessary” clearing of blocks, including from affected owners interested in pursuing the first right of refusal option (the repurchase of their block following demolition). Following public forums on 11 and 16 December 2014, it published a written record of questions and answers provided by the Taskforce. Amongst discussion at those forums, and set out those written answers, was the following update on the intended approach⁸:

Will the Taskforce clear the block?

The key priority of the Taskforce is to clear the block of loose fill asbestos. How much of the garden/landscaping or other improvements are removed will be determined at each block by soil testing which will be overseen by a licensed asbestos assessor. Within this key objective, the Taskforce will work with homeowners who wish to return to their block with regard to what external features can potentially remain. Further information will be provided by the Taskforce in early 2015.

Subsequently that message was repeated in Taskforce Newsletter #26 in May 2015⁹:

If we are returning to our blocks, will we be billed to remove our pool or other structures if we don't want it?

The Taskforce will not necessarily be clearing blocks completely. If there are any structures on the block that have not been properly approved, they will be removed. Discussions about what other improvements will be removed and what can be kept will be had with returning homeowners closer to the time of demolition.

Is it safe to watch the demolition?

Yes. These houses can and will be demolished safely. The work will be informed and led by experts in asbestos assessment and removal as well as demolition contractors. WorkSafe has worked closely with the Taskforce around this work and there will be seven inspectors dedicated to reviewing activities.

...

Air monitoring as well as dust suppression will be in place and soil on the block remediated. This does not mean that entire blocks will be cleared. This will depend on the advice of experts as well as discussions with owners if they are seeking to remain on the block

First Right of Refusal Policy Documents

In September 2015, the Government provided further confirmation and detail of the approach it would take to demolition directly to former owners in the *Exercising Your First Right of Refusal: Guidelines*¹⁰. That document relevantly stated:

Step 3: Assessment of Affected Blocks

In preparing to hand over Affected Blocks for demolition works, the Taskforce will consult with contractors and asbestos assessors to settle the scope of demolition works for a particular Affected Block. In undertaking this assessment the Taskforce will identify the Improvements that must be demolished or removed in addition to the contaminated dwelling(s). This decision will be based on:

- contamination – any Improvements that are, or are likely to be, affected by loose fill asbestos contamination will be removed
- demolition logistics – it may be necessary to remove some Improvements that cannot be protected or retained during the demolition works
- site integrity – to maintain site integrity it may be necessary to retain some Improvements (e.g. retaining walls, paths and vegetation) to prevent soil erosion or to ensure adequate drainage)
- assessment of the highest and best use of the Remediated Block – consideration will be given to retaining Improvements that add value to Remediated Blocks on the open market (e.g. driveways,

⁸ http://www.asbestostaskforce.act.gov.au/_data/assets/pdf_file/0010/678106/Q-and-A-DecemberForums.pdf

⁹ <http://www.asbestostaskforce.act.gov.au/communications-and-engagement/newsletters/newsletter-edition-26>

¹⁰ http://www.asbestostaskforce.act.gov.au/_data/assets/pdf_file/0007/772369/ART-ExercisingYourFirstRightOfRefusal-Guidelines-20150909-A11169951.pdf

gates, unaffected structures and landscaping) and removing Improvements that detract from the value on the open market (e.g. some swimming pools, dilapidated separate garages)

- legality - any unapproved building structures that should have approval will be removed.

Step 6 - Identification of Preserved Improvements

Following the Taskforce's completion of the demolition scoping assessment and determination of the sale price, the Taskforce will work with the First Right Holder to identify possible Preserved Improvements. Preserved Improvements are those Improvements that the Taskforce would remove if the Remediated Block was being prepared for public sale but which the First Right Holder wishes to retain.

It is important to note that discussions about Preserved Improvements will not canvass retention of Improvements that the Taskforce has determined must be removed due to contamination, approval status or logistical factors.

...

The Taskforce will not agree to requests from First Right Holders to conduct works beyond those it would undertake if the property was being prepared for public auction (e.g. earthworks such as site cutting or filling for a future house; removing trees, or removing an Improvement that the First Right Holder wants removed but which would be retained if the Remediated Block were being prepared for sale on the market).

Informing the Assembly

In the context of the ongoing inquiry by PAC into implementation of the Scheme¹¹, an update was provided to the Legislative Assembly at around the same time as part of the regular Quarterly Report from the Taskforce¹²:

It is important to note that the Taskforce will not be clearing blocks through its demolition activity. The Taskforce's mandate is to eradicate loose fill asbestos from the community and will therefore be removing those structures affected by Mr Fluffy. In most circumstances this will be just the house and any attached structures such as garages or pergolas.

Press Coverage

In October of 2015, the issue was canvassed by *The Canberra Times* as part of its coverage of the outcomes of the Taskforce's Pilot Demolition Program¹³:

In terms of soil sampling, the Taskforce and WorkSafe ACT have tightened the previous policy to ensure two independent levels of soil testing are undertaken before any block is deregistered and made available for sale. Mr Kefford said soil testing guidelines had been adopted from Western Australia which had provided the leading national standard through its own experience of soil contamination through its Wittenoom blue asbestos mine.

He said the ACT testing guidelines were adapted to provide double the rate of sampling than in WA "to provide a level of assurance that all loose asbestos has been removed". He noted that Canberra's extensive amount of bonded asbestos – much of which is buried as building rubble would not be assessed as part of block remediation.

"We are just confirming that the footprint of the home and surrounding soil are free from loose amosite fibres." Soil was generally being scraped to a depth of 10 centimetres and sampling would then be taken to confirm it was clear of amosite. One of the five pilot houses needed additional soil to be scraped after testing showed some fibres remained.

Mr Kefford said the community could have full confidence that blocks released back onto the market would be free of loose fill amosite asbestos.

¹¹ http://www.parliament.act.gov.au/in-committees/standing_committees/Public-Accounts/Inquiry-into-the-loose-fill-asbestos-insulation-eradication-scheme?inquiry=705297

¹² http://www.asbestostaskforce.act.gov.au/_data/assets/pdf_file/0019/801811/Att-A-Taskforce-Quarterly-Report-30-June-30-October-2015-PDF-version.pdf

¹³ <http://www.canberratimes.com.au/act-news/fluffy-home-less-painful-now-it-is-demolished-20151020-gkebix.html>

In February 2016, *The Canberra Times* reported¹⁴:

Also to keep costs down, the government was not demolishing garages, cubby houses, gardens or driveways and was not restoring blocks to level ground before selling them. Soil testing for asbestos contamination was limited to the footprint of the house and the demolition site.

When the scheme was announced in 2014, the government said it would "scrape" the blocks clean, with then chief minister Katy Gallagher saying, "The block is essentially scraped, so the trees will go, the garden will go, the pool will go, everything will go."

But Mr Kefford said this week the blocks were more attractive with established gardens and there was no reason to think the gardens would be contaminated if soil around the house itself had been tested and was clean.

Replacement of Soil on Remediated Blocks

In a similar vein, the Taskforce's *Demolition Innovation Fact Sheet* released in June 2016¹⁵ provided updated public information about the approach being adopted in relation to re-filling of blocks after the affected house has been demolished.

Soil and condition of blocks

In October 2014 when the Taskforce announced the Demolition Program reference was made to soil being replaced to natural ground level and grassing of the sites following demolition.

As the program and works has commenced it has become evident that these steps are an unnecessary cost to the community as it is likely that any added soil or grass would need to be removed in preparation for rebuilding on the block.

The sites will on the main be left in a similar state as any knock down rebuild where the house has been removed. Purchasers of the remediated blocks can then work with their builder around their individual site requirements.

It is also not expected that the blocks will be sitting vacant for an extended period of time prior to sale and therefore grassing is not required. If a circumstance of a particular site warrant such works (i.e. for erosion purposes) they will be reviewed on a case by case basis.

This approach reflects the advice of demolition contractors that the costs and effort involved in re-establishing and re-engineering natural ground level on remediated blocks would be difficult to justify, especially in light of the expectation that much of the re-instated soil would be removed again as part of the development process. In a similar vein, the Taskforce is no longer refilling holes where swimming pools are removed, instead making them safe and leaving development decisions (including the potential for disposal of fill from footings onsite in those holes) to the new owners and their builder.

Conclusion

There is no advice before the Taskforce or the Government that it is necessary to clear remediated blocks corner to corner to eradicate the loose fill asbestos insulation present. To do so would only add unnecessary and irresponsible cost to the Scheme, detract from block amenity and resale values, and in many cases run contrary to the stated desires of former owners seeking to exercise their first right of refusal.

Beyond those who point out – as is acknowledged – the evolution of the Government's approach in light of better information, expert advice, and community sentiment, and as part of settling the specific as distinct from the general direction of Scheme implementation, this is not an issue being raised with the Taskforce as a concern. All information at the disposal of the Government in

¹⁴ <http://www.canberratimes.com.au/act-news/asbestos-taskforce-releases-photos-of-some-of-worst-contamination-found-to-date-20160226-gn4kq1.html>

¹⁵ http://www.asbestostaskforce.act.gov.au/_data/assets/pdf_file/0008/874061/ART-Demolition-Innovation-InfoSheet-20160617-A12150446.pdf

relation to the condition of remediated blocks is available to prospective purchasers as part of the sales contract documentation. The possibility of the existence of other potential contaminants on remediated blocks (for example bonded asbestos fragments or builders' rubble pits) is dealt with contractually in a form consistent with the standard Law Society contract for sale of residential land in the ACT.

As the approach to demolition has matured and been refined, the Government's intention has been consistently and widely communicated directly to those most affected, to the wider community, and to the Legislative Assembly.

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

Signature:



Date: 14/7/16

By the Minister for Workplace Safety and Industrial Relations, Mr Mick Gentleman MLA

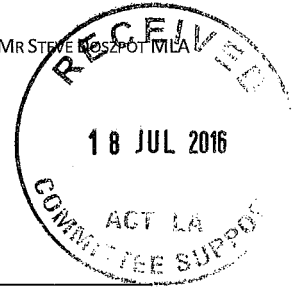


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MR BRENDAN SMYTH MLA (CHAIR), MR JAYSON HINDER MLA (DEPUTY CHAIR), MS JOY BURCH MLA, MR STEVE HOSKOT MLA

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



Asked by Mr Hanson MLA on 30 June 2016: The Minister for Workplace Safety and Industrial Relations took on notice the following question:

[Ref: Hansard transcript, p. 1125]

In relation to: Mr Fluffy Board of Inquiry.

MR HANSON: Thank you. Minister, would you support a board of inquiry into the Mr Fluffy disaster?

Mr Gentleman: The government has indicated it would support a comprehensive review of what has occurred. There would be quite a cost to the community, I think, Mr Hanson, in the inquiry that you have indicated that you would like to go forward with. Also I would have a view that you would need all of the players involved to be able to take on and be a part of that level of inquiry. I understand that the commonwealth has indicated that they do not want to take part at this time. That could change. But I think that, with the government's commitment to a full review at the end of the program, that is the appropriate step to take.

MR HANSON: The Chief Minister said that he had written to the Prime Minister. Have you got a copy of that letter?

Mr Gentleman: I have been advised of the correspondence. I can seek a copy of the letter, or what is available, and provide it to the committee if that is of assistance.

MR HANSON: We have asked for it repeatedly and not been given it. It was FOI-ed by the *Canberra Times* and no one can find a copy.

Mr Gentleman: Right.

MR HANSON: So although we have asked on a number of occasions for that document—

Mr Gentleman: Sure. Yes, I am happy to take that on notice and see if I can provide that for you.

MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS: The answer to the Member's question is as follows:—

The Chief Minister raised the issue of an inquiry into Mr Fluffy at meetings with the:

- Prime Minister, the Hon. Malcolm Turnbull MP on 24 November 2015; and

- Premier of NSW, the Hon. Mike Baird MP on 12 November 2015.

In both meetings the Chief Minister noted the necessity of Commonwealth cooperation and support for any inquiry to be worthwhile. He also noted the importance of NSW participation given the cross-border impact of Mr Fluffy and the existence of the NSW loose-fill asbestos insulation program, for which the ACT is providing advice and assistance. He also made clear the ACT Government's immediate focus is on supporting residents impacted by loose-fill asbestos contaminated homes as our top priority. No support for an inquiry was offered by the Prime Minister or the Premier. He followed up both meetings with letters outlining the discussion.

In line with protocol, the Chief Minister will consult with the Prime Minister and NSW Premier before making public the correspondence. The Chief Minister will table the correspondence subject to the outcomes of this consultation.

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

Signature:



Date: 19/7/16

By the Minister for Workplace Safety and Industrial Relations, Mick Gentleman MLA

QTON No. E16-318

Type of Questions	No	Received / hearings Date	Asked By	Directorate / Portfolio	Subject	Answer date	Minister name	Transcript page no for QTON	Remark
QTON	318	30/06/2016	Smyth	CMTEDD - Asbestos	Demolition waste truck	30/06/2016	Gentleman	UPTpp.93-94. Corrected proof p 1128	Answered at hearings



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

QUESTION ON NOTICE

NICOLE LAWDER MLA: To ask the Minister for Urban Renewal



In relation to:

Riverview development & ACT/NSW Border

1. Has the Cross Border Government Servicing Report been finalised? If not, when will it be finalised?
2. The location of the Riverview development, in the NSW section, is adjacent to the Murrumbidgee and Ginninderra Gorge, which is characterised by dry forest and woodland, very steep slopes and westerly, north-westerly and northerly aspects. Bushfire is therefore a likely risk given the location of the site, the topography of steep slopes and prevailing north-westerly winds. How has the Cross Border Government Servicing Report and/or the ACT Government considered the impact of bushfire risk in the context of the Riverview development? Will there be an independent assessment conducted by the Emergency Services Agency?
3. In the context of the Riverview development, did the ACT Government consider that this development will provide more than 50 percent of the ACT's projected required greenfield housing (as per the 2030 projections in the ACT Planning Strategy pp5, 24, 42)?

MR BARR: The answer to the Member's question is as follows: -

1. No. A draft report has been prepared which is currently being considered by Government.
2. Bushfire issues were considered extensively in the planning work leading to the Variation to the Territory Plan No 351, approved on 23 October 2015. The Variation approved the rezoning of the subject land for future urban development. The Emergency Services Agency was consulted on the Variation.
3. Yes. The West Belconnen Development is consistent with the ACT Planning Strategy.

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

Signature: *Andrew Barr*

Date: 18.7.16

By the Minister for Urban Renewal, Andrew Barr MLA



CTON E16-320

Speaker

Mr Brendan Smyth MLA
Chair
Select Committee on Estimates 2016-2017
Legislative Assembly for the Australian Capital Territory
196 London Circuit
CANBERRA ACT 2601



Dear Mr Smyth

When I recently appeared before your committee to give evidence in respect of the budget for the Office of the Legislative Assembly, a question from Ms Burch MLA, and some ensuing discussion, concerned the state of the furniture in the existing non executive members' offices, most of which dates back to 1994.

In my evidence, I advised that replacement of this furniture had been raised with the Government in the course of the accommodation upgrade and had been declined. I advised that I was in the process of writing to the Chief Minister on this matter. I have now signed that letter and I am writing to provide a copy of it for the information of your committee.

Yours sincerely

A handwritten signature in cursive script, appearing to read "Vicki Dunne".

Vicki Dunne MLA
Speaker

8 July 2016



Speaker

Mr Andrew Barr MLA
Chief Minister and Treasurer
Legislative Assembly for the ACT
GPO Box 1020
CANBERRA ACT 2600

Dear Mr Barr

As the Assembly's accommodation project nears completion, I am attracted to a proposal for which I am seeking your endorsement.

From a procurement and value for money perspective, the project has delivered a good outcome. By August 2016, all work should be completed (with the exception of the Chamber upgrade, which cannot occur until after the Assembly sittings are concluded) and the project is currently forecast to be completed about \$150,000 under budget. But this modest saving has been achieved after the original budget (approximately \$7.5m) was able to absorb:

- expenses of approximately \$115,000 to safely remove bonded asbestos;
- a series of minor variations to original scope; and
- most significantly - just under \$1m of additional scope to allow upgrades to HVAC and some kitchen and bathroom areas.

I am mindful that, when you were approached in August 2015 about options to expand the scope of works for the project (opportunities that arose due to a lower than expected tender price), one element you were not prepared to support was replacing furniture in existing non-executive member offices.

I chose not to challenge that view at the time because, even though I was concerned about the age and state of that furniture, it was clear that the available funds would still be put toward other very worthwhile and badly needed upgrade works. However, I must draw your attention to the fact that most of the furniture in the personal suites of non-Executive members has never been replaced since its acquisition as part of the 1994 refurbishment of this building, some 22 years ago. New sofas were purchased in 2002 but they are now 14 years old and looking shabby. I do not think the standard of furniture in these offices is appropriate for non-executive members and it contrasts quite sharply in age and condition to the furniture acquired by successive ministers.

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Recently, using some funding that the Office of the Legislative Assembly had secured before the decision was taken to expand the Assembly, non-executive members' personal desks were replaced with sit/ stand workstations and matching credenzas. However, as important as it has been to provide members with fully height adjustable work stations, their installation has only served to highlight the age and poor state of the remaining original furniture.

I think it is entirely appropriate to utilise the modest savings that remain in this project to fund replacement of the dated and worn furniture in non-executive member suites. By doing that now, the opportunity exists to match the furniture provided to the new member/minister suites, thereby providing a consistent look and feel in each non-executive member office. That this furniture is still being used 22 and 16 years (respectively) after it was acquired is surely evidence that it has achieved value for money and lived well beyond its expected life. If this opportunity is not taken, the matter will simply impose a burden on future budgets.

In light of your previous views that the accommodation project funds not be used for such items, I am obliged to approach you to seek your endorsement. In doing so, it is clear that the earlier priorities have been delivered and, accordingly, I would be grateful for your favourable consideration of this proposal.

Yours sincerely



Vicki Dunne MLA
Speaker

30 June 2016

QTON No. E16-321

Type of Questions	No	Received / hearings Date	Asked By	Directorate / Portfolio	Subject	Answer date	Minister name	Transcript page no for QTON	Remark
QTON	321	29/06/2016	Smyth	Health	Public Interest Disclosures	29/06/2016	Corbell		Answered at hearings



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 29 June 2016:

Ref: Hansard Transcript 29 June 2016 Page 1006

In relation to: Public Interest Disclosures

Were there any Public Interest Disclosures in the past 12 months?

Mr Corbell answered 'Not that I am advised'. ACT Health now advise:

There were two Public Interest Disclosures lodged with ACT Health in the 2015-16 financial year:

- The first was closed after assessment on the basis that there was no evidence to support the allegations.
- The second was closed on the basis that there was a more appropriate way reasonably available to deal with the disclosable conduct in the disclosure.

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

Signature:

Date:

11.7.16

By the Minister for Health, Simon Corbell MLA



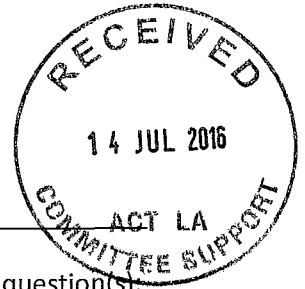


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**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by MR DOSZPOT on 30 June 2016: MR GENTLEMAN took on notice the following question(s).

[Ref: Hansard Transcript [30 June 2016] [PAGE 1096]]

In relation to: MOU with UnionsACT - Consultation

Did the government, prior to signing the MOU, undertake any internal or external consultation, legal or otherwise, or obtain advice on the establishment of this MOU?

Minister for Workplace Safety and Industrial Relations: The answer to the Member's question is as follows:-

I am advised that all areas of government, including the ACT Government Solicitor, were consulted before the MOU was endorsed by Cabinet and signed in April in 2005. Additional consultation was not undertaken prior to renewal of the MOU in 2015 as changes to the previously endorsed provisions were minor.

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

Signature:

Date: 14/7/16

By the Minister for Workplace Safety and Industrial Relations, Mick Gentleman MLA