



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS

Asked by Ms Tara Cheyne on 22 June 2018: Mr Jonathan Kobus took on notice the following question:

[Ref: Hansard Transcript [22 June 2018] [PAGE 583]]

In relation to: the Brand Canberra merchandise –

THE ACTING CHAIR: The brand Canberra ephemera, like the badges, how much do we spend on that?

Mr Kobus: I can take that on notice. I do not have the exact figure on the expense on merchandise but the arrangement that we currently have with the Canberra Business Chamber is that \$500,000 is invested in the brand. About \$300,000 of that is invested in the brand program. That covers everything from website curation, creation of content, distributing content, activations at events and also includes investment in things like merchandise. We also generate some revenue from merchandise sales—

MR ANDREW BARR MLA: The answer to the Member's question is as follows:—

In 2017-18 \$20,071 was invested in merchandise to support Brand CBR campaign activities.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: 

Date: 2.7.18

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



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

Asked by Mr ALISTAIR COE on 22 June 2018: Ms Kareena Arthy took on notice the following questions:

[Ref: Hansard Transcript [22 June 2018] [PAGE 584 - 586]]

In relation to:

1. **MR COE:** With regard to Floriade last year, was there an overspend in the budget?

Ms Verden: I can answer that. Currently we are still finalising the expenditure associated with Floriade last year. At this point in time I will have to take that on notice.

2. **MR COE:** Go back to the question of cost and possible overspend. On what has already been booked as opposed to what is also going to come in, how are you tracking at the moment?

Ms Verden: At this stage it appears that costs are higher than what we had originally budgeted. However, as we are working through the challenges associated with the eight staff who have left Events ACT, it has taken us a little longer to fully understand the total cost associated with Floriade last year.

MR COE: We looking at, what, \$1 million or \$2 million or something, what sort of amount?

Ms Arthy: I think it is premature for us to be able to give you a decent steer. We have contracted an external group to come in and help us finalise the accounts. As I say, we are hoping in the next sort of month we will have the figures finalised.

MR COE: This is obviously a cause for concern, is it not, if you have had to bring somebody else in to assist with it? But you must have an idea of the direction that it is going. Are we looking at \$100,000, \$1 million, \$2 million or more?

Ms Arthy: We are looking certainly at more than \$100,000 but again I cannot give you any more specifics until we actually see. The reason why I brought someone in was just purely that, with the change of staff, we were unable to have anyone with a corporate memory to be able to track through all the invoices and contracts to make sure we had everything lined up. We can provide the information on notice very shortly.

3. **MR COE:** Whatever the quantum of the overspend or potential overspend is, where is that money likely to come from? Are we going to see an additional appropriation, or is it going to come from elsewhere in the directorate?

Ms Arthy: I cannot answer that. That is a matter for the strategic finance area; that is not something that I am involved with. I can take it on notice and come back.

MR ANDREW BARR MLA: The answer to the Member's question is as follows:–

1. Yes.
2. The ACT Government has developed a preliminary quantification of the overspend but it would pre-empt the Protiviti report to release the estimate. The ACT Government will update the Committee as soon as possible after receiving the final report.
3. The ACT Government is determining a course of action to balance any overspend and the final figure will be taken into consideration.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: 

Date: 3.7.18

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



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

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

Asked by Mr Alistair Coe on 22 June 2018: Ms Kareena Arthy took on notice the following question:

[Ref: Hansard Transcript [22 June 2018] [PAGE 587]]

In relation to how much will Protiviti, the consultants who are finalising the Floriade accounts, cost?

MR COE: You mentioned that an external consultancy has come in to assist. What firm is that?

Ms Arthy: Protiviti.

MR COE: What is the likely cost of that work?

Ms Arthy: It is around \$20,000, but I do not have the figure here. I can definitely take that on notice and come back to you.

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

The cost of Protiviti's services for its financial review of Floriade 2017 is \$22,537.50 (including GST).

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: *Andrew Barr*

Date: 2.7.18

By the Chief Minister, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

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

Asked by Mr Alistair Coe on 22 June 2018: Mr Andrew Barr took on notice the following question(s):

[Ref: Hansard Transcript [22 June 2018] [PAGE 600]]

In relation to: what is in the funding agreement with Screen Canberra

MR COE: What about in terms of the actual provisions in the grants? Do they actually stipulate—

Mr Barr: Yes. I am very conscious of time; I have a 4 pm appointment I have to get to and we have 30 seconds to go. I am very happy for a copy of the funding agreement with Screen Canberra to be made available to the committee—that is no issue at all—once that has been finalised. If there are any other questions you have, we will take them on notice. Our time is about to expire. I do not want to get into a 15-minute conversation, because I physically cannot be here; I have to go. I am very happy to take any questions on notice in relation to this and happy to provide that funding deed once we have finalised it with Screen Canberra.

MR ANDREW BARR MLA: The answer to the Member's question is as follows:—

A copy of the Funding Agreement between the Australian Capital Territory and ACT Screen Industry Association Limited (trading as Screen Canberra) for the management of the CBR Screen Fund is provided with this QTON response at [Attachment A](#) for the Committee's information.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: 

Date: 2.7.18

By the Chief Minister, Andrew Barr MLA



ACT
Government

FUNDING AGREEMENT

Dated	<u>22 June 2018</u>
Parties	AUSTRALIAN CAPITAL TERRITORY ACT SCREEN INDUSTRY ASSOCIATION LIMITED ACN 166 155 120
Title	CBR SCREEN FUND
Prepared by	ACT Government Solicitor Level 5, 12 Moore Street CANBERRA CITY ACT 2601 Ph: 6207 0666 Ref: 634225
Version	Final

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PARTIES: **AUSTRALIAN CAPITAL TERRITORY**, the body politic established by section 7 of the *Australian Capital Territory (Self-Government) Act 1988* (Cth) (**Territory**) represented by Innovate Canberra.

ACT SCREEN INDUSTRY ASSOCIATION LIMITED ACN 166 155 120 (trading as Screen Canberra) of Canberra Technology Park, Suite 101C, 49 Phillip Avenue Watson ACT 2602 (**Screen Canberra**).

RECITALS

- A. The ACT Government supports and promotes the local screen industry through various forms of funding programs including core funding and investment funding to practitioners and businesses across film, television and digital media.
 - B. The ACT Government wishes to establish a new CBR Screen Fund designed to further support, develop and promote the local screen industry.
 - C. The ACT Screen Industry Association (ACTSIA), trading as Screen Canberra is a not-for-profit membership based organisation that plays an important role in the ACT screen community, including supporting the growth of the Territory's screen industry through providing development opportunities and providing a voice for the local screen community.
 - D. The Territory has agreed to engage Screen Canberra, and Screen Canberra has agreed to be engaged, to establish, deliver and manage the new CBR Screen Fund on behalf of the Territory.
 - E. This Agreement sets out the terms and conditions applying to the establishment, delivery and management of the new CBR Screen Fund by Screen Canberra.
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OPERATIVE PROVISIONS

1. Interpretation

1.1 Definitions

In this Agreement, unless the context otherwise requires:

Administrative Costs	has the meaning given to that term in clause 4.2 .
Agreement Material	means all Material created by or on behalf of Screen Canberra during the performance of its obligations under this Agreement.
Annual Report	means a report that assesses Screen Canberra's expenditure of the Funds and progress against the Business Plan for the relevant Funding Year, prepared in accordance with clause 8 .

Associate	means, in relation to a person, any officer, agent, adviser, consultant, contractor or employee of that person.
Business Day	means a day in the Territory that is not: <ul style="list-style-type: none"> (1) a Saturday or Sunday; (2) a public holiday for the Territory pursuant to the <i>Holidays Act 1958</i> (ACT); or (3) the 27th, 28th, 29th, 30th or 31st of December.
Business Plan	means a business plan prepared by Screen Canberra specifically for the CBR Screen Fund and approved by the Territory in accordance with clause 7 .
CBR Screen Fund	means the grant fund to be known as the "CBR Screen Fund" established, managed and delivered by Screen Canberra under this Agreement to support, develop and promote the local screen industry.
Claim	means any claim, action, demand, suit or proceeding (including by way of contribution or indemnity) made: <ul style="list-style-type: none"> (1) under or in connection with this Agreement; or (2) at Law or for specific performance, restitution, payment of money (including damages) or any other form of relief.
Commencement Date	means the commencement date of this Agreement set out in Item 1 Schedule 1 .
Contact Officer	means, in relation to each party, the representative whose name and contact details are specified in Item 6 Schedule 1 , or as notified in writing from time to time by one party to the other.
Copyright	means all rights in relation to any work or thing in which copyright may subsist including: <ul style="list-style-type: none"> (1) artistic works, literary works, dramatic works, musical works, sound recordings, cinematograph films, television broadcasts, sound broadcasts, published or photographs, as those terms are defined by the Copyright Act; and (2) any corresponding or similar rights granted under any other laws anywhere in the world.
Copyright Act	means the <i>Copyright Act 1968</i> (Cth).
Funded Activities	means the activities for which Screen Canberra receives Funds under this Agreement and which are agreed in accordance with Schedule 2 .

Funding Guidelines	means the document that forms Annexure A to this Agreement being the document titled "CBR Screen Fund Guidelines".
Funding Period	means the period set out in Item 2 Schedule 1 (as may be extended in accordance with clause 2.2).
Funding Year	means a period of 12 months with the first such period commencing on 1 July 2018 and each subsequent period commencing on the anniversary of that date.
Funds	means the amount specified in Item 3 Schedule 1 and includes: <ul style="list-style-type: none"> (1) any interest accruing on that amount; (2) any income or financial gain derived from the investment of that amount; and (3) any Additional Funding under clause 3.2.
Indirect or Consequential Loss	means any: <ul style="list-style-type: none"> (1) loss of opportunity, profit, anticipated profit, business opportunities or revenue or any failure to realise anticipated savings; or (2) to the extent not prohibited by Law, any penalties payable under agreements other than this Agreement.
Insolvency Event	means, in relation to a party, the occurrence of any of the following events: <ul style="list-style-type: none"> (1) a liquidator, provisional liquidator, administrator, trustee in bankruptcy, receiver or receiver and manager or similar officer is appointed in respect of the party or any asset of the party; (2) a distress, attachment or other execution is levied or enforced upon or against any assets of the party and in the case of a writ of execution or other order or process requiring payment, it is not withdrawn or dismissed within 10 Business Days; (3) an order is made for the administration, dissolution or winding up of the party, or a resolution is passed for the administration or winding up of the party other than for the purposes of a solvent reconstruction or amalgamation on terms approved by the Territory; (4) the party ceases, or threatens to cease, to carry on its business or payment of its debts generally, other than for the purposes of a

solvent reconstruction or amalgamation on terms approved by the Territory;

- (5) the party enters, or resolves to enter into any scheme of arrangement or composition with its creditors generally, or any class of its creditors, other than for the purposes of a solvent reconstruction or amalgamation on terms approved by the Territory;
- (6) an inspector is appointed under any companies legislation to investigate all or any part of the affairs of the party in relation to a possible contravention by the party of that legislation and the appointment:
 - (a) is not withdrawn within 10 Business Days; and
 - (b) in the reasonable opinion of the Territory, may have a material adverse effect on the performance of this Agreement;
- (7) the party is, in the reasonable opinion of the Territory, unable to pay its debts when they fall due, or is deemed unable to pay its debts under any applicable Law;
- (8) for a party that is a registered corporation under the *Corporations Act 2001* (Cth), a step is taken under section 601AA, 601AB or 601AC of the Act to cancel its registration; or
- (9) any act is done or any event occurs which has an analogous or similar effect to any of the events in paragraphs (1) to (8).

Invoice

means an invoice that:

- (1) clearly sets out the amount that is due for payment and is correctly calculated;
- (2) is rendered at the times specified in **Item 3 Schedule 1** (if any) and addressed to the Territory's Contact Officer; and
- (3) if GST applies, complies with the requirements set out in **clause 16**.

Law

means:

- (1) those principles of common law and equity established by decisions of courts; and

	(2) all legislation, statutes, rules, regulations, by-laws, ordinances and subordinate legislation of the Commonwealth or the Territory.
Liability	<p>means any debt, obligation, claim, action, cost, (including legal costs, deductibles or increased premiums) expense, loss (whether direct or indirect), damage, compensation, charge or liability of any kind (including fines or penalties), whether it is:</p> <p>(1) actual, prospective or contingent; or</p> <p>(2) currently ascertainable or not,</p> <p>and whether under or arising out of or in any way in connection with this Agreement or arising at Law.</p>
Material	means any document or other thing in which Copyright subsists but excludes Works.
Minister	means, for the time being, the Minister for Economic Development and includes the Minister's authorised delegate.
Moral Rights	has the meaning given to that term in the Copyright Act and includes any corresponding or similar rights granted under any other laws anywhere in the world.
Objectives	has the meaning given to that term in Item 1 Schedule 2 .
Performance Reviews	has the meaning given to that term in clause 9(1) and includes any reviews conducted in accordance with clause 9(3) .
Prescribed Insurer	means an insurer that is authorised by the Australian Prudential Regulation Authority to conduct new or renewal insurance business in Australia.
Progress Report	means a report to support monitoring and assessment of the progress of the Funded Activities undertaken by Screen Canberra for the 6 month period from 1 July to 31 December and 1 January to 30 June of each year of the Funding Period prepared in accordance with clause 8 .
Territory	<p>means:</p> <p>(1) when used in a geographical sense, the Australian Capital Territory; and</p> <p>(2) when used in any other sense, the body politic established by section 7 of the <i>Australian Capital Territory (Self-Government) Act 1988</i> (Cwlth).</p>

Use means, in relation to any Agreement Material or Work (as the case may be):

- (1) the reproducing, communicating to the public, adapting, storing, modifying and copying of that Agreement Material or Work,

but does not include the right, without the prior written consent of Screen Canberra or the owner of the Work (as the case may be), for the Territory to:

- (2) use (or permit any third party to use) any logo, design, trademark or business name of Screen Canberra; or
- (3) use the Agreement Material or Work the subject of a licence under **clause 12.2** or **clause 13.1** for the primary purpose of making financial gain or advantage.

Work means any film, television series, digital media or other screen project produced or created for or as part of the Funded Activities and includes all scripts, masters in any format, negatives, positives, video and sound recordings created for the purpose of the Work, whether or not incorporated into the completed Work.

1.2 General

In this Agreement:

- (1) headings are for convenience only and do not affect interpretation;
- (2) a reference to any legislation or legislative provision includes any statutory modification or re-enactment of, or legislative provision substituted for, and any determinations, notifiable instruments or other subordinate legislation issued under that legislation or legislative provision;
- (3) a word importing the singular includes the plural (and vice versa), and a word indicating a gender includes every other gender;
- (4) a reference to an individual or person includes a corporation, partnership, joint venture, association, authority, trust, state or government and vice versa;
- (5) a reference to a recital, clause, schedule, annexure or exhibit is to a recital, clause, schedule, annexure or exhibit of or to this Agreement;
- (6) a recital, schedule, annexure or description of the parties forms part of this Agreement;
- (7) a reference to any agreement or document is to that agreement or document (and, where applicable, any of its provisions), as amended, novated, supplemented or replaced from time to time;

- (8) a reference to any party to this Agreement, or any other document or arrangement, includes that party's executors, administrators, substitutes, successors and permitted assigns;
- (9) where an expression is defined anywhere in this Agreement it has the same meaning throughout;
- (10) a reference to "dollars" or "\$" is to an amount in Australian currency;
- (11) the word "include" and its derivations are not to be construed as words of limitation; and
- (12) the expression "this Agreement" includes the agreement, arrangement, understanding or transaction recorded in this Agreement.

1.3 Precedent regime

If there is any inconsistency, ambiguity or discrepancy between any of:

- (1) clauses 0 to 21 of this Agreement;
- (2) the Schedules to this Agreement; or
- (3) the Funding Guidelines,

the following order of precedent will apply:

- (4) clauses 0 to 21 of this Agreement;
- (5) the Schedules to this Agreement; and
- (6) the Funding Guidelines.

1.4 Reasonable endeavours of Territory

Any statement in this Agreement providing that the Territory or any officer or agent of the Territory will use or exercise "reasonable endeavours" or "act reasonably" in relation to an outcome, means that the Territory or any officer or agent of the Territory:

- (1) will take steps to bring about the relevant outcome so far as it is reasonably able to do so, having regard to its resources and other responsibilities;
- (2) does not guarantee the relevant outcome will be brought about; and
- (3) is not required to:
 - (a) exercise a right of any government party, or to influence, override, interfere with or direct any other government party in the proper exercise and performance of its legal, statutory or executive duties and functions;
 - (b) exercise a power or discretion in a manner that the Territory regards as not in the public interest;
 - (c) develop or implement new policy or a change in policy;
 - (d) procure any new legislation or a change in legislation; or

- (e) act in any way that the Territory regards as not in the public interest.

2. Funding Period

2.1 Funding Period

This Agreement commences on the Commencement Date and, unless terminated earlier pursuant to its terms or at Law, ends on the expiry of the Funding Period.

2.2 Extension of Funding Period

- (1) The Territory may offer (at its absolute discretion) to extend the Funding Period.
- (2) If the Territory wishes to extend the Funding Period in accordance with **clause 2.2(1)**, it must give written notice of such intention to Screen Canberra no less than 6 months prior to the expiry of the Funding Period, specifying the proposed period of extension (**Extension Notice**).
- (3) If Screen Canberra wishes to accept the Territory's offer to extend the Funding Period under **clause 2.2(2)**, it must give the Territory written notice of that acceptance within 30 days of receipt of the Extension Notice.
- (4) If the parties agree to extend the Funding Period in accordance with this **clause 2.2(3)**, the parties agree that:
 - (a) this Agreement will continue on the same terms and conditions, unless varied by the parties in accordance with **clause 20.2**; and
 - (b) in negotiating any extension of this Agreement, the outcomes of the Performance Reviews may be taken into consideration by the Territory.

3. Payment of Funds

3.1 Payment of Funds

In consideration of Screen Canberra agreeing to perform the Funded Activities, the Territory must, subject to the terms of this Agreement, pay Screen Canberra the Funds following its receipt of an Invoice and otherwise in accordance with **Item 3 Schedule 1**.

3.2 Additional funding

- (1) Subject to ACT Government appropriation, and compliance by Screen Canberra with this Agreement, the Territory may provide, at its absolute discretion, additional funding to Screen Canberra during the Funding Period for the purpose of the Funded Activities (**Additional Funding**).
- (2) Any Additional Funding will form part of the Funds and will be governed by the terms and conditions of this Agreement.

- (3) The Territory will notify Screen Canberra in writing of any Additional Funding and will pay such amount within 30 days of receipt by the Territory of an Invoice.

4. Use and accounting of Funds

4.1 Use of Funds

Screen Canberra must:

- (1) use the Funds only for Funded Activities and Administrative Costs, and in a manner that is consistent with the Business Plan approved by the Territory under **clause 7**;
- (2) undertake the Funded Activities diligently and otherwise in accordance with this Agreement; and
- (3) where a Funded Activity is a specific project, complete or procure the completion of, that Funded Activity within the Funding Period.

4.2 Administrative Costs

- (1) Screen Canberra is responsible for managing all activities and costs incidental or reasonably necessary to carry out the Funded Activities (including leasing premises, effecting insurances, employing staff, engaging persons as consultants and/or advisors and undertaking other administrative activities) (**Administrative Costs**).
- (2) Screen Canberra may use part of the Funds (up to the amount approved under the Business Plan) for the purposes of paying its Administrative Costs.

4.3 Separate accounting for Funds

Screen Canberra must deposit and hold the Funds in a separate bank account and must:

- (1) promptly notify the Territory of:
 - (a) the details of that account; and
 - (b) any change to that account,and
- (2) not cause or allow any funds other than the Funds to be deposited into that account.

5. Corporate governance

- (1) Screen Canberra must implement and maintain a framework of good corporate governance in managing the Funds drawing on the *ASX Corporate Governance Council's Corporate Governance Principles and Recommendations, Second Edition, August 2007 (Governance Principles)*, and any updates to these Governance Principles, as appropriate. In particular, the Organisation should aim to have:

- (a) a board which is structured to add value as outlined in Principle 2 of the Governance Principles; and
- (b) a process for evaluating the performance of the board.

Note: Principle 2. Companies should have a board of an effective composition, size and commitment to adequately discharge its responsibilities and duties. An effective board is one that facilitates the effective discharge of the duties imposed by law on the directors and adds value in a way that is appropriate to the particular company's circumstances. The board should be structured in such a way that it: (i) has a proper understanding of, and competence to deal with, the current and emerging issues of the business; (ii) exercises independent judgement; (iii) encourages enhanced performance of the company; (iv) can effectively review; and (v) challenge the performance of management.

- (2) Screen Canberra must include in its Annual Report (if requested by the Territory) details of steps taken to improve board corporate governance and performance in accordance with **clause 5(1)**.

6. Records

6.1 Obligation to keep records

Screen Canberra must:

- (1) keep financial accounts and other records in compliance with applicable Laws, that:
 - (a) detail and document the conduct and management of the Funded Activities;
 - (b) identify the receipt and expenditure of the Funds separately within Screen Canberra's accounts and records so that at all times the Funds are identifiable; and
 - (c) enable all receipts and payments related to the Funded Activities to be identified and reported in accordance with this Agreement;
- (2) retain the records referred to in this clause for at least 7 years following the completion of the Funded Activities undertaken or procured by Screen Canberra or the expiration or termination of this Agreement, whichever occurs first.

6.2 Access

- (1) The Territory may, at reasonable times and on reasonable notice for the purpose of auditing Screen Canberra's compliance with this Agreement, enter Screen Canberra's premises and inspect any records relevant to the Funded Activities or the Funds.
- (2) Screen Canberra must:
 - (a) give the Territory access to those facilities and such assistance as may reasonably be required to enable the Territory to conduct an audit under **clause 6.2(1)**; and
 - (b) permit the Territory, at its own cost, to take copies of any records which the Territory, acting reasonably, considers relevant to its audit.

6.3 Territory's Auditor-General

The Territory's rights under this **clause 6** may be exercised by:

- (1) the Territory's Auditor-General;
- (2) the delegate of the Auditor-General; or
- (3) any relevantly qualified person engaged by the Territory to perform any functions of the Auditor-General.

7. Business Plan

- (1) On or before 1 July 2018 and subsequently on or before 1 June of each Funding Year, Screen Canberra must prepare and provide to the Territory for its approval (such approval not to be unreasonably withheld) a draft Business Plan for the forthcoming Funding Year (**Draft Business Plan**).
- (2) Within 15 Business Days of receipt of the Draft Business Plan the Territory must notify Screen Canberra in writing as to whether the Territory:
 - (a) approves the Draft Business Plan, in which case it will be adopted by the parties as the Business Plan for the forthcoming Funding Year; or
 - (b) does not approve the Draft Business Plan, in which case the Territory will also provide written detail of those areas of the Draft Business Plan to which it requires amendments (**Amendment Notice**).
- (3) Within 10 Business Days of receiving an Amendment Notice, Screen Canberra must notify the Territory in writing as to whether Screen Canberra:
 - (a) accepts the amendments to the Draft Business Plan as set out in the Amendment Notice, in which case it will be adopted by the parties as the Business Plan for the forthcoming Funding Year; or
 - (b) does not accept the amendments as set in the Amendment Notice, in which case the parties must meet and use all reasonable endeavours to address the requested amendments, and if not resolved within 14 Business Days, then either party may immediately refer the matter to dispute resolution under **clause 19**.
- (4) The parties agree that until such times as the Business Plan is approved in accordance with this **clause 7**, the Business Plan approved for the immediately preceding Funding Year will continue to apply.
- (5) The Business Plan must include, as a minimum:
 - (a) a statement of the Objectives that Screen Canberra will pursue in the forthcoming Funding Year;
 - (b) the strategies and policies that Screen Canberra will adopt to

achieve those Objectives;

- (c) key performance indicators for the assessment of Screen Canberra's performance against those Objectives;
- (d) the investment and financing programs (if any) that Screen Canberra will pursue, including strategies for managing financial risks;
- (e) the budget for the Funded Activities, financial targets and projection for Screen Canberra in the forthcoming Funding Year;
- (f) an analysis of the factors likely to affect achievement of targets or create significant financial risk for Screen Canberra or the Territory;
- (g) the budget for Administrative Costs for the forthcoming Funding Year; and
- (h) such other matters (if any) as the Minister, acting reasonably, directs.

8. Reports

8.1 Progress and Annual Reports

Screen Canberra must provide written reports to the Territory relating to the progress and achievement of the Funded Activities undertaken or procured by Screen Canberra and expenditure of the Funds in the manner and at the times specified in **Schedule 3**.

8.2 Other notifications

Screen Canberra must keep the Territory reasonably informed about all matters that are likely to materially or adversely affect the timing, scope or cost of Funded Activities undertaken or procured by Screen Canberra or Screen Canberra's ability to carry on or complete Funded Activities in accordance with this Agreement.

9. Performance Review

- (1) At the end of the 3rd Funding Year and 5th Funding Year, the Territory will review Screen Canberra's performance under this Agreement (**Performance Reviews**). The Performance Reviews will take into account:
 - (a) the performance of Screen Canberra in meeting its obligations under this Agreement;
 - (b) the implementation of Screen Canberra's Business Plans, including the effectiveness of Screen Canberra in meeting the Objectives set out in those plans and the efficiency with which those plans were carried out;
 - (c) the delivery of benefits to the local screen industry by Screen Canberra as foreshadowed by the Business Plans; and
 - (d) any other matters pertaining to the management of CBR Screen

Fund as required by the Minister, acting reasonably, to be covered.

- (2) The Territory must allow Screen Canberra to participate in the Performance Reviews. Screen Canberra must provide to the Territory all assistance reasonably requested by the Territory in relation to the Performance Reviews and participate in the reviews.
- (3) If at any time during the Funding Period the Territory, acting reasonably, considers that Screen Canberra's performance warrants a review, it may conduct a review of Screen Canberra's performance which will take into account the matters set out in **clause 9(1)**. The Territory must allow Screen Canberra to participate in the review. Screen Canberra must provide to the Territory all assistance reasonably requested by the Territory in relation to the review and participate in the review.
- (4) All Performance Reviews must be undertaken by representatives of both parties who have the authority, responsibility and relevant expertise in financial and operational matters appropriate to the nature of the review.

10. Acknowledgement of Funding

10.1 Acknowledgement of Territory support

Screen Canberra must, in relation to a Funded Activity undertaken or procured by Screen Canberra:

- (1) acknowledge the support of the Territory in any public event, media release or media coverage; and
- (2) include an acknowledgement in the form set out in **Item 7 Schedule 1** in all documents, brochures, books, articles, newsletters, other artistic works or literary works or advertising produced or created, or caused to be produced or created by Screen Canberra and which are made available publicly.

10.2 Other obligations

Screen Canberra must:

- (1) in relation to the material referred to in **clause 10.1(2)**, promptly provide to the Territory:
 - (a) if requested by the Territory in sufficient time, a draft of the material prior to publishing or printing; and
 - (b) a copy of that material as published or printed; and
- (2) on reasonable notice, invite the Territory to participate in any public event, media release or media coverage related to the Funded Activities.

10.3 Access to filming location

On reasonable notice and subject to any restrictions reasonably necessary to ensure the safety and integrity of the filming location, Screen Canberra will invite or will procure the invitation of, the Territory to visit the filming location of

any major film production that forms part of the Funded Activities.

11. Credits

- (1) Subject to **clause 11(2)**, Screen Canberra must ensure the Territory receives the credits set out in **Schedule 4** in relation to any Work.
- (2) Before the completion of the titles to any Work:
 - (a) Screen Canberra must provide in writing to the Territory the full credit roll for its approval (such approval not to be unreasonably withheld or delayed); and
 - (b) the Territory may direct Screen Canberra to cause the Territory's credit to be removed from the titles and that its name and logo not be used in any advertising or promotion of the Work.
- (3) Screen Canberra must, where possible, ensure that all Works contain a complete and effective copyright notice substantially in the form set out in **Schedule 4**.

12. Ownership and use of Agreement Material

12.1 Ownership of Agreement Material

Ownership of all Agreement Material, including any Copyright, vests on its creation in Screen Canberra.

12.2 Licence to Territory

Screen Canberra grants to the Territory a worldwide, irrevocable, non-exclusive, royalty-free licence to Use the Agreement Material for its corporate, promotional and educational purposes.

13. Copyright in Works

13.1 Copyright

Unless otherwise agreed, Screen Canberra:

- (1) without limiting its obligations under **clause 13.2**, must procure that each person legally entitled to do so, grants to the Territory (with effect from the date the relevant Work comes into existence); and
- (2) must do all things necessary to give effect to the grant to the Territory of,

a world-wide, perpetual, irrevocable, non-exclusive, royalty-free licence to Use the Works for its corporate, promotional and educational purposes.

13.2 Moral Rights

Screen Canberra must, unless otherwise agreed in writing with the Territory in relation to a particular Work, procure from every person who is an author for the purposes of Part IX of the Copyright Act of the Work, a written consent which is valid and effective under the Copyright Act and signed by that person by which that person irrevocably and unconditionally consents to the Territory:

- (1) any loss or damage to or of property, including any real or personal property, including property belonging to the Territory or its Associates;
 - (2) any injury to, illness or death of, any person; or
 - (3) any third party actions brought against the Territory or its Associates,
- to the extent caused or contributed to by Screen Canberra or any of its Associates in connection with the Funded Activities.

15.3 Limit on Screen Canberra's indemnity

Screen Canberra's liability to indemnify the Territory and its Associates in accordance with this Agreement will be reduced to the extent that any such Claim or Liability is caused or contributed to by:

- (1) any breach by the Territory of this Agreement; or
- (2) any fraudulent, negligent, reckless, unlawful or malicious act or omission of the Territory or any of its Associates.

15.4 Continuing obligation

- (1) Each indemnity in this Agreement is a continuing obligation, separate and independent from the other obligations of the parties.
- (2) It is not necessary for a party to incur expense or to make any payment before enforcing a right of indemnity under this Agreement.

15.5 No Indirect or Consequential Loss

Neither the Territory nor any of its Associates has any Liability to Screen Canberra or its Associates for any Indirect or Consequential Loss suffered or incurred or sustained by Screen Canberra or its Associates as a result of any act or omission of the Territory or its Associates (whether negligent or otherwise) or due to any breach of this Agreement by the Territory or its Associates.

16. Taxes, duties and government charges

16.1 Definitions

In this **clause 16**:

- (1) words and expressions which are not defined in this Agreement but which have a defined meaning in the GST Law, have the same meaning as in the GST Law; and
- (2) "GST Law" has the meaning given to that expression in the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

16.2 Consideration GST exclusive

Unless otherwise expressly stated, all sums payable or consideration to be provided under this Agreement is exclusive of GST.

16.3 Payment of GST

If GST is payable by a supplier on any supply made under this Agreement, the

- (1) using, disclosing, reproducing, communicating, adapting, publishing or otherwise exercising its rights in relation to the Work anywhere in the world in whatever form the Territory thinks fit (including the making of any distortions, additions or alterations to the Work or any adaptation thereof, or to any part of the Work in a manner which, but for the consent, infringes or may infringe that person's Moral Rights in the Work); and
- (2) taking any action referred to in **clause 13.2(1)** without making any identification of the author of the Work.

13.3 Indemnity

- (1) Screen Canberra indemnifies the Territory and its Associates against any Claim or Liability brought against, suffered or incurred by the Territory or any of its Associates arising in connection with any infringement, violation, alleged infringement or alleged violation by the Territory or any of its Associates of any Copyright, Moral Rights or other rights of any person in connection with any Work.
- (2) Screen Canberra's liability to indemnify the Territory and its Associates in accordance with **clause 13.3(1)** will be reduced to the extent that any such Claim or Liability is caused or contributed to by:
 - (a) any breach by the Territory of this Agreement; or
 - (b) any fraudulent, negligent, reckless, unlawful or malicious act or omission of the Territory or any of its Associates.

14. Insurance

Screen Canberra must effect and maintain for the Funding Period:

- (1) all insurance coverage required to be effected by it by Law;
- (2) public liability insurance with coverage in the amount of not less than the amount specified in **Item 5(1) Schedule 1** in respect of each occurrence; and
- (3) any other insurance specified in **Item 5(2) Schedule 1**,

with a Prescribed Insurer and must (if requested) produce evidence of that insurance.

15. Indemnity

15.1 Indemnity

Screen Canberra indemnifies the Territory from and against any Claim or Liability suffered or incurred by the Territory or any of its Associates in connection with any breach by Screen Canberra of this Agreement.

15.2 General indemnity

Screen Canberra indemnifies the Territory and its Associates from and against any Claim or Liability suffered or incurred by the Territory or any of its Associates in connection with:

recipient will pay to the supplier an amount equal to the GST payable on the supply.

16.4 Timing of GST payment

The recipient will pay the amount referred to in **clause 16.3** in addition to and at the same time that the consideration for the supply is to be provided under this Agreement.

16.5 Tax invoice

- (1) The supplier must deliver a Tax Invoice or an Adjustment Note to the recipient before the supplier is entitled to payment of an amount under **clause 16.3**.
- (2) The recipient can withhold payment of the amount until the supplier provides a Tax Invoice or an Adjustment Note, as appropriate.

16.6 General

Except as provided by this Agreement, all taxes, duties and government charges imposed or levied in Australia or overseas in connection with the performance of this Agreement will be borne by Screen Canberra.

17. Termination

17.1 Termination for default

The Territory may terminate this Agreement at any time by written notice to Screen Canberra if:

- (1) an Insolvency Event occurs; or
- (2) Screen Canberra:
 - (a) fails to undertake or procure the Funded Activities diligently and in a timely manner, having regard to any timeframes specified in this Agreement;
 - (b) commits any serious or persistent breach of this Agreement;
 - (c) engages in fraud, collusion or dishonest conduct in performing its obligations under this Agreement; or
 - (d) commits any other breach of this Agreement, where that breach:
 - (i) if capable of being remedied, is not remedied within the period specified in a written notice by the Territory (which must be a reasonable period having regard to the nature of the breach); or
 - (ii) is not capable of being remedied.

17.2 Consequences of termination for default

If this Agreement is terminated pursuant to **clause 17.1**:

- (1) Screen Canberra must comply with **clause 18**;

- (2) the Territory will not be liable to pay any compensation or other money to Screen Canberra except as expressly provided for in this Agreement; and
- (3) the rights and obligations of the parties under this Agreement will cease except for:
 - (a) any obligations arising or rights accrued as a result of a breach of this Agreement existing prior to termination; and
 - (b) any obligations which are expressed to survive termination of this Agreement or by their nature continue in accordance with this Agreement.

17.3 Early termination

- (1) Either party may terminate this Agreement, without cause, by giving the other party at least six (6) month's prior written notice.
- (2) On receipt of a notice of termination under **clause 17.3(1)**, Screen Canberra agrees to:
 - (a) stop or reduce the performance of its obligations as specified in the notice;
 - (b) take all available steps to minimise loss resulting from that termination;
 - (c) continue performing any part of the Funded Activities or this Agreement not affected by the notice if requested to do so by the Territory; and
 - (d) comply with its obligations under **clause 18**.
- (3) In the event of termination under this clause by the Territory, the Territory will be liable only to:
 - (a) pay any part of the Funds due and owing to Screen Canberra under this Agreement at the date of the notice; and
 - (b) reimburse any reasonable and substantiated expenses Screen Canberra unavoidably incurs that relate directly and entirely to the termination of this Agreement.
- (4) The Territory's liability to pay any amount under this clause is subject to Screen Canberra's compliance with this Agreement.
- (5) Screen Canberra will not be entitled to compensation for loss of prospective profits or benefits that would have been conferred on Screen Canberra but for the termination of this Agreement under **clause 17.3(1)**.
- (6) The Territory will act reasonably in exercising its rights under this clause.

17.4 No prejudice

Nothing in this **clause 17** prejudices any other rights or remedies of the Territory in respect of any breach of this Agreement.

18. Repayment of Funds

18.1 Repayment of unacquitted Funds

At the end of the Funding Period, or earlier termination of this Agreement, Screen Canberra must:

- (1) unless otherwise required under this Agreement, within 30 days, provide the Territory with a statement of expenditure of the whole of the Funds; and
- (2) promptly repay to the Territory any or all of the Funds that remain unacquitted.

18.2 Meaning of unacquitted Funds

For the purposes of **clause 18.1**, the Funds remain unacquitted if:

- (1) they are not spent or contractually committed to be spent for the Funded Activities in accordance with this Agreement; or
- (2) they have been spent in breach of this Agreement.

19. Dispute Resolution

19.1 Negotiation and mediation of disputes

- (1) If a difference or dispute (**Dispute**) arises in relation to this Agreement, then either party may give written notice to the other that a Dispute exists, which specifies details of the Dispute, and the parties agree that they will endeavour to resolve the Dispute by negotiations, or, if the Dispute has not been resolved within 28 days of the issue of the notice, undertake a mediation process.
- (2) If a mediation process is undertaken in accordance with **clause 19.1(1)** the mediator will be an independent mediator agreed by the parties or, failing agreement, nominated by the chairperson of The Institute of Arbitrators and Mediators Australia, ACT Chapter. Unless otherwise agreed, the parties will equally share the costs of the engagement of the mediator.
- (3) The Territory agrees that the Screen Canberra's costs of, and in connection with, any mediation may be paid from the Funds.

19.2 No prejudice

Nothing in this **clause 19** will prejudice the rights of either party to institute proceedings to enforce this Agreement or to seek injunctive or urgent declaratory relief in respect of any Dispute.

20. Variation

20.1 Variation to Funded Activities

Screen Canberra must obtain the Territory's prior written approval where it proposes to vary any Funded Activity which has been identified to be undertaken or procured by Screen Canberra in a Business Plan approved by the Territory.

20.2 Variation to Agreement

No amendment or variation of this Agreement is valid or binding on a party unless made in accordance with the provisions of this Agreement or otherwise in writing executed by both parties.

20.3 Variation to budget

Notwithstanding **clause 20.1**, Screen Canberra is not required to seek a variation for changes to the budget for a Funded Activity approved under a Business Plan unless the value of an item of expenditure or quantum of the budget increases or decreases by more than 10 percent.

21. General

21.1 No assignment

Screen Canberra must not assign the whole or any part of this Agreement without the prior written consent of the Territory. If the Territory gives its consent, the Territory may impose any conditions.

21.2 Conflict of interest

- (1) For the purpose of this **clause 21.2**, "conflict of interest" means having an interest (whether personal, financial or otherwise) which conflicts or which may reasonably be perceived as conflicting with Screen Canberra's ability to perform its obligations under this Agreement fairly, objectively and independently.
- (2) Screen Canberra warrants that at the date of this Agreement no conflict of interest exists or is likely to arise in the performance of the Funded Activities and of its other obligations under this Agreement.
- (3) If a conflict or risk of a conflict of interest arises during the Funding Period, Screen Canberra must notify the Territory immediately in writing and comply with any requirement of the Territory to eliminate or otherwise deal with that conflict or risk of a conflict of interest.

21.3 No employment, partnership or agency relationship

Nothing in this Agreement constitutes Screen Canberra or its Associates as employees, partners or agents of the Territory or creates any employment, partnership or agency for any purpose, and Screen Canberra must not represent itself, and must ensure its Associates do not represent themselves, as being employees, partners or agents of the Territory.

21.4 Entire agreement

This Agreement comprises the entire agreement between the parties about its subject matter and supersedes any prior representations, negotiations, writings, memoranda and agreements on that subject matter.

21.5 Severability

Any provision of this Agreement that is illegal, void or unenforceable will not form part of this Agreement to the extent of that illegality, voidness or unenforceability. The remaining provisions of this Agreement will not be invalidated by an illegal, void or unenforceable provision.

21.6 No waiver

Failure or omission by either party at any time to enforce or require strict or timely compliance with any provision of this Agreement will not affect or impair that provision in any way or the rights and remedies that party may have in respect of that provision.

21.7 Compliance with laws and governing law

This Agreement is governed by and construed in accordance with the Law for the time being in force in the Territory and the parties submit to the non-exclusive jurisdiction of the courts of the Territory. Each party must comply with the Laws from time to time in force in the Territory in performing its obligations under this Agreement.

21.8 Notices

Any notice, including any other communication, required to be given or sent to either party under this Agreement must be in writing and given to the relevant Contact Officer. A notice will be deemed to have been given:

- (1) if delivered by hand, on delivery;
- (2) if sent by prepaid mail, on the expiration of two business days after the date on which it was sent; or
- (3) if sent by electronic mail, on whichever of the following occurs first:
 - (a) the other party's acknowledgement of receipt by any means;
 - (b) the sender's electronic mail device recording that the electronic mail has been successfully transmitted to the recipient's address; or
 - (c) the expiration of two business days after the date on which it was sent without receipt of a notification that the delivery failed,

and if given in two or more ways, on the first of paragraphs (1) to (3) occurring.

21.9 Forms and statements

The Territory may (acting reasonably) require any form, record or statement required under this Agreement to be in a particular form.

21.10 Survival of clauses

Clauses 8, 12.2, 13.3, 15 and 18 will survive the expiration or earlier termination of this Agreement.

SCHEDULE 1

FUNDING DETAILS

- Item 1. Commencement Date**
See clauses 1.1 and 3
- The date of this Agreement.
- Item 2. Funding Period**
See clauses 1.1 and 2
- 7 years commencing on 1 July 2018 and ending on 30 June 2025.
- Item 3. Funds**
See clauses 1.1 and 3
- (1) \$5,000,000 (excl. GST)
- (2) The Funds are payable as a lump sum. Screen Canberra may render an Invoice for the Funds on or after the Commencement Date.
- (3) Except if otherwise stated in this Agreement, the Funds are payable within 30 days of receipt by the Territory of an Invoice.
- Item 4. Reporting and Acquittal**
See clause 7
- See Schedule 3.
- Item 5. Other insurance requirements**
See clause 12
- (1) Public Liability Insurance: \$20 million.
- (2) Other insurance: not applicable.
- Item 6. Contact Officers**
See clauses 1.1 and 21.9
- For the Territory:**
Glen Hassett
- Postal address:**
Director, Programs
Chief Minister, Treasury and Economic
Development Directorate
1 Constitution Avenue
Canberra ACT 2601
- For Screen Canberra:**
Monica Penders
Chief Executive Officer
- Postal address:**
ACT Screen Industry Association
PO Box 7131
Watson ACT 2602
- Item 7. Form of Acknowledgement**
See clause 10
- [ACT Government logo] Supported by funding from the ACT Government.

SCHEDULE 2

THE FUNDED ACTIVITY

1. Objectives

Screen Canberra must identify in its Business Plan for each Funding Year the objectives that Screen Canberra will pursue in the forthcoming Funding Year (**Objectives**). Those Objectives must be consistent with the objectives of the CBR Screen Fund, being to:

- (1) promote the quality and quantity of screen productions in the Territory;
- (2) contribute to the growth and sustainability of the Territory's screen industry;
- (3) contribute to the profile of the Territory nationally and internationally through time on screen and becoming a location of choice;
- (4) generate the stipulated level of spending in the Territory by the funded screen productions, as determined in the annual Business Plan;
- (5) build capacity and Copyright ownership in the local emerging screen industry by supporting quality locally generated projects with a minimum fund allocation of 20% of Funds;
- (6) make financial investments in screen related projects and production capabilities which meet the Funding Guidelines (including demonstrating benefits to the Territory);
- (7) provide available funding for all types of screen content including (but not limited to) feature films, television series and web series; and
- (8) from each supported project, seek to recoup the funded amount from any investment made, including gross receipts *pro rata pari passu* with the equity investors.

2. Funded Activities

- (1) Screen Canberra must identify in its Business Plan for each Funding Year, the Funded Activities it proposes to undertake or procure in that Funding Year to achieve the Objectives.
- (2) In undertaking or procuring the Funded Activities, Screen Canberra must, as far as practicable:
 - (a) promote the open market as the primary means of support for projects with commercial potential;
 - (b) promote the development of commercially focussed screen production businesses;
 - (c) promote the efficient, effective and ethical use of public resources;
 - (d) comply with the Funding Guidelines; and
 - (e) enter into appropriate agreements with third parties for the production or creation of any Work including (but not limited to) funding agreements, production and investment agreements, marketing agreement and any other relevant transaction documents.

SCHEDULE 3

REPORTING REQUIREMENTS

See clauses 1.1, 6 and 9

1. Reporting requirements

Screen Canberra agrees to:

- (1) create the following reports in the form as may be required by the Territory from time to time; and
- (2) provide the reports to the Territory Contact Officer at the times specified below:

Details	Due Date
Progress Report	On or before 28 February and subsequently on or before 31 August of each year of the Funding Period, Screen Canberra must provide to the Territory a Progress Report with respect to the 6 month period from 1 July to 31 December and 1 January to 30 June of the previous year.
Annual Report	On or before 31 October of each year during the Funding Period, Screen Canberra must provide to the Territory an Annual Report for the previous Funding Year.

2. Progress Report

Screen Canberra must ensure Progress Reports include at a minimum:

- (1) a summary of the progress of the Funded Activities against the Business Plan and expenditure of the Funds against budgets identified in the Business Plan;
- (2) identification of any issues or matters that may affect the achievement of the activities and goals in the Business Plan; and
- (3) measures to resolve performance/progress issues identified in the Progress Report.

3. Annual Report

- (1) Screen Canberra must include, at a minimum, in an Annual Report for the relevant Funding Year:
 - (a) a statement of Screen Canberra aims and objectives in accordance with the relevant Business Plan;
 - (b) details of all Funded Activities undertaken or procured by Screen Canberra;
 - (c) a detailed assessment of Screen Canberra's progress and outcomes against the relevant Business Plan;
 - (d) a qualitative analysis of the impact of the Funded Activities on the local screen industry; and
 - (e) an independently audited financial report by a registered auditor that complies with the Australian Accounting Standards (Financial Report) including an audited statement of receipts and expenditure in respect of the Funds for the relevant Funding Year, which must include a definitive statement made by the auditor that the statements of receipts and expenditure are fair and true.
 - (f) One DVD copy of each supported project that was completed in the year.

SCHEDULE 4

CREDITS

See clause 11

1. Territory credit

Unless otherwise agreed, Screen Canberra must cause the following credits, including the Territory's logo or such other credits or logos as the Territory may, acting reasonably, require prior to screening or release, are included in the title of any Work:

- (1) a presentation credit which may be shared with any other government funded agency:

IN ASSOCIATION WITH THE ACT GOVERNMENT AND SCREEN CANBERRA

- (2) a static or rolling frame credit in the end titles of any film, television or digital media production (but not as the last title):

**FILMED ON LOCATION/ PRODUCED/POST-PRODUCED IN CANBERRA, THE
AUSTRALIAN CAPITAL TERRITORY**

**PRODUCED WITH THE ASSISTANCE OF THE ACT GOVERNMENT AND SCREEN
CANBERRA**

[CBR Canberra Logo] [Screen Canberra Logo]

2. Credits in advertising and promotional material

- (1) Unless otherwise agreed, Screen Canberra must cause the Territory's logo to appear in advertising and promotional material for all Works, including on websites, theatrical posters, theatrical trailers press releases, DVD and video sleeves and soundtrack album covers.
- (2) There is no obligation to accord the Territory credit in television and radio commercials; newspaper and magazine advertisements less than ten column centimetres in length; and materials dealing exclusively with the promotion of individuals concerned in the making of any Work.

3. Credits and logos

Unless otherwise agreed, Screen Canberra must ensure that the credit and logo of the Territory in the title of any Work is no smaller than the credit and logo of any other investor or government body.

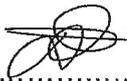
4. Copyright notice

© 20XX [ABC Pty Ltd], ACTSIA and the Australian Capital Territory

EXECUTED as an agreement.

SIGNED for and on behalf of the)
AUSTRALIAN CAPITAL TERRITORY in)
the presence of:)

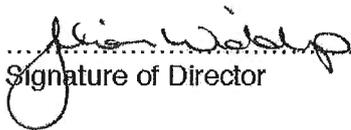

.....
Signature of Territory delegate

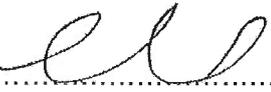

.....
Signature of witness

Ian Cox
.....
Print name

Debbie Hilton
.....
Print name

SIGNED for and on behalf of)
ACT SCREEN INDUSTRY ASSOCIATION)
LIMITED ACN 166 155 120 in the presence)
of:)


.....
Signature of Director


.....
Signature of Director / Secretary

JULIAN WIDDUP
.....
Print name and position

DAVID COURT
.....
Print name

ANNEXURE A

CBR SCREEN FUND GUIDELINES

CBR SCREEN FUND Guidelines

The CBR Screen Fund is delivered by Screen Canberra whose remit is to support and grow the local Australian Capital Territory (ACT) screen industry. The Fund is a multipurpose, strategic fund which will seek projects, opportunities and partners that can best meet the objectives and criteria of the Fund.

The Fund partners on the development, production and marketing of high quality feature films, television series and other screen projects from ACT practitioners or, interstate/international practitioners that have significant Canberra elements and benefit; are capable of reaching local and international audiences and delivering commercial success.

Strategic Objectives

- Contribute to the growth and sustainability of Canberra's screen industry
- Contribute to the profile of Canberra nationally and internationally
- Demonstrate a significant local economic impact
- Return of capital to the fund

Types of Funding

- Late stage development (with market attachment)
- Equity, debt and structured funding
- P&A funding
- Enterprise funding

Eligible applicants

Must be:

- ACT practitioners
- Non ACT practitioners that will undertake their work in the ACT or are in a genuine partnership with an ACT based practitioner;
- Australian citizens or permanent residents
- For international projects, in partnership with an Australian citizen or permanent resident

Funding Levels

Screen Canberra co-funds projects with other financing partners with the expectation that the ACT contribution will trigger significant additional expenditure in the ACT. Funded amounts are guided by the ACT spend, with every \$1 provided expected to trigger at least \$7 in ACT expenditure.

Applications made to other funding sources in relation to the project must be disclosed and where other finance has been secured, the conditions attached to that finance provided.

Assessment Criteria

With all of the investment types the following criteria will be applied:

- Proposed ACT spend relative to the requested funding;
- Project's economic, cultural and creative benefits to the ACT;
- Creative quality and readiness of the project to go into production;
- Market potential of the project;
- Track record or potential of the applicant; and
- Proposed use of ACT talent, personnel, services, facilities and locations.

Priority is given to ACT applicants. Non-ACT applicants need to demonstrate that they will undertake a significant proportion of their work in the ACT.

Funding is competitive and successful applicants cannot be guaranteed to receive their full request from the fund even when their application substantially meets the criteria.

For projects with Indigenous community participation or content, applicants must follow the protocols as set out in Screen Australia's *Pathways & Protocols – A filmmaker's guide to working with Indigenous people, culture and concepts*.

Application and assessment process

In the first instance, please contact Victor Willis, Screen Canberra's Fund Manager on 02 61625173 or screenfund@screencanberra.com.au to discuss your proposal.

Applicants are required to submit a completed application form plus any required supporting material (including video material). This form is available on the Screen Canberra website.

The Screen Canberra Assessment Committee, a subcommittee of the Screen Canberra board plus an ACT Government nominee and industry experts as required, assesses the application. Additional information may be requested during the assessment process and applicants may be asked to present before the panel. The Fund also reserves the right to contact and discuss the project with any party associated with the application.

Conflict of Interests

As per the Screen Canberra conflict of interest protocol, any conflict of interest of the Screen Canberra Assessment Committee will be declared, papered and if necessary the conflicted member will leave the deliberations for that project.

All Assessment Committee members must sign a confidentiality agreement.

The Assessment Committee will be required to take all reasonable steps to ensure that no decision is improperly influenced or compromised. All members of the Assessment Committee will be required to advise the Chair of the Assessment Committee of any direct relationship to an applicant or application.

This is the case where:

- The member is related to or has a business association with the applicant.
- The member derives income through the application being successful.
- The member is a participant in the project.
- Other reasons that the member may raise.

This will be noted in a Conflict-Of-Interest Declaration. Should such a situation arise, the member in question will be required to excuse him/herself from any discussion of that particular project.

Assessment Times

Assessment is carried out on the day of Screen Canberra board meeting which is held on the first Wednesday of March, June, September and December.

Contracting and funding disbursement

Successful applicants will enter into funding agreements with Screen Canberra. Funds will be disbursed according to agreed milestones and the timing of other contributions, with final 10 per cent disbursed after the producer has delivered all the Screen Canberra deliverables. GST is payable on the funding provided.

For each approved project (if applicable):

- The applicant must demonstrate a clear chain of title for their project. This involves providing documents that establish ownership or control of all necessary rights by the applicant to fully develop, produce and market the project.
- A reputable completion guarantor must be attached to the project. This requirement may be waived where the majority investor in the project agrees to waive this requirement.
- The applicant is required to take out insurance consistent with industry standards.
- The applicant is required to take on project attachments. Attachments provide emerging local film practitioners with valuable, paid experience on the Fund supported projects. Applicants will liaise with Screen Canberra to determine the appropriate areas for attachments.
- Subject to the producer's obligations to Screen Canberra, the producer will be granted full autonomy to manage all aspects of the creative process without undue interference.
- All of Screen Canberra's interest in the project other than copyright will revert to the producer five years after delivery of the project.

Screen Canberra requires for each approved project:

- Acknowledgement of its support along with the ACT Government with a credit on the project, its publicity materials and on any other documentation produced. The required credits for each project will be part of the funding agreement.
- A 1 per cent copyright interest in the project in perpetuity.
- For development funding, repayment on first day of principal photography plus a premium to be negotiated
- For equity funding an entitlement to recoup the funded amount from the gross receipts pro rata *pari passu* with the equity investors unless otherwise agreed.
- For P&A funding an entitlement to recoup the funded amount from the gross receipts pro rata *pari passu* with the sales agent/distributor plus an agreed share of commissions unless otherwise agreed
- For other funding, as is negotiated in good faith.
- A non-exclusive right to use excerpts and other promotional material from the production for its corporate, promotional and educational purposes.
- The right of approval/ consultation over major changes to the project script, key personnel, finance plan, the budget, the use of funds and the rough cut.
- Reasonable access to production sets, locations and/or studios without interfering with production.
- Full publicity plan for whilst in the ACT and beyond.
- The recipient to agree on a method of reporting and provision of an agreed acquittal. The reporting requirements will form part of the funding agreement.
- The recipient to participate in interviews or surveys related to the evaluation of the Fund.
- The right to an audit of the project and the ACT expenditure as a standard requirement unless otherwise stated in the project agreement.
- The producer to deliver the items specified in the funding agreement to the Government and the items specified in the NFSA delivery deed to the National Film and Sound Archive.

Costs

An administration fee of 3% for local productions and 5% for incoming productions of the total funding amount is payable in advance on the total loan on the date of the first drawdown. GST is payable on the fee.

Freedom of Information

As this Fund is from the ACT Government it may be subject to the Freedom of Information Act which provides a general right of access to records held by government. Applicants should be aware that information pertaining to the receipt of ACT Government financial assistance will be tabled in the ACT Legislative Assembly. This information may include the name of recipients and projects, the amount of the assistance, and a description of the funded activity. This could result in requests for more detail to be released publicly.

Confidentiality

The applicant and Screen Canberra must not divulge any confidential information (other than as published by Screen Canberra) relating to the application process to any third party (other than those of their respective employees or authorised agents) without prior written consent.

Guidelines Updates

This document will be updated from time to time so please ensure that you have the most up to date copy which is available on our website.

Contact and more information.

Fund Manager: Victor Willis
screenfund@screencanberra.com.au
Tel 02 61625173
www.screencanberra.com.au



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

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

Asked by Mr Andrew Wall MLA on 22 June 2018: Mr Michael Young took on notice the following question(s):

[Ref: Hansard Transcript 22 June 2018 p.603]

In relation to Work Safety Council membership:

THE CHAIR: What were the views of the industry members on the Work Safety Council?

Mr Young: The Work Safety Council has established a subcommittee to look at construction safety in general, particularly following the recommendations of the *Getting home safely* report and the RMIT report. These proposals were, I believe, discussed there at length before they were put to the Work Safety Council. There is a wider representation of industry representatives at that body as well. For example, the HIA is represented there but not at the Work Safety Council.

THE CHAIR: With the Work Safety Council subcommittee, which members of the committee sit on the subcommittee that was tasked with looking at this?

Mr Young: Certainly, the Master Builders Association is one. I do not have the full list in front of me.

THE CHAIR: Would you take that on notice, Mr Young?

Mr Young: I will take the full membership of that committee on notice.

THE CHAIR: Yes, both the full membership and the subcommittee which you made mention of, please.

Mr Young: Indeed.

RACHEL STEPHEN-SMITH MLA: The answer to the Member's question is as follows:–

Members of the ACT Work Safety Council

Name	Role & Organisation
Robert Knapp (Chair)	Consultant, Casey Consulting
Michael Hopkins	Chief Executive Officer, Master Builders Association
Lucie Hood	Workplace Relations Officer, Canberra Business Chamber
Susan Helyar	Director, ACT Council of Social Services
Judi Childs	Director, Public Sector Management, Chief Minister, Treasury and Economic Development Directorate, ACT Government
Jason O'Mara	Secretary, Construction, Forestry Mining and Energy Union, ACT Branch
Alex White	Secretary, Unions ACT
Michelle McCabe	Centre Manager, Guardian Early Learning Centre
Jacqueline Agius	Industrial Organiser, Australian Education Union
Alan Reid	ACT Workers Compensation Manager, Allianz
Dr Sharron O'Neill	Senior Lecturer, University of New South Wales
Michael Young	Executive Director, Work Safety and Industrial Relations, ACT Government
Greg Jones	Work Safety Commissioner

Acting Members of the ACT Work Safety Council

In addition to the Members described above, a number of Acting Members are appointed. These are reserve members authorised to attend Council meetings if a Member is absent.

Name	Role & Organisation
Lisa Dart (acting employer representative)	Company Systems Manager, Project Coordination Australia
Louise Hughes (acting employer representative)	Relationship Manager, Konect (previously at SRC Solutions)
Russell Noud (acting employer representative)	Director, Public Sector Workplace Relations, ACT Government

Name	Role & Organisation
Matthew McCann (acting employee representative)	Organiser, Electrical Trades Union of Australia
Thomas Cullen (acting employee representative)	Senior Industrial Officer, Australian Nursing and Midwifery Federation
Susie Walford (acting Ministerial appointee)	General Manager, Federal Government Services, Employers Mutual Limited

Members of Construction Safety Advisory Committee

Name	Role & Organisation
Bill Smith (Chair)	Senior Manager, Workplace Safety and Industrial Relations Division, ACT Government
Jason O'Mara	Secretary, CFMEU, ACT Branch
Matthew McCann	Organiser, Electrical Trades Union of Australia
Michael Kelly	Technical Manager, WHS, Master Builders Association of the ACT
Kristie Burt	Workplace Advisor, Housing Industry Association
Barry Skinner	President, National Electrical and Communications Association (NECA), ACT Chapter
Stephen Solari	Systems Manager, Guideline
Vince Ball	Executive Director, ACT Construction Industry Training Council (CITC)
Greg Jones	Work Safety Commissioner, Access Canberra (WorkSafe ACT)
Garrett Purtill	Research and Policy Officer, UnionsACT
Michael Whitehouse	WHS Coordinator, Procurement and Capital Works, ACT Government
Angela Lee	Policy Manager, Skills Canberra, ACT Government

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:



Date:

2/7/18

By the Minister for Workplace Safety and Industrial Relations, Rachel Stephen-Smith MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

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

Asked by Mr Andrew Wall MLA on 22 June 2018: Mr Michael Young took on notice the following question(s):

[Ref: Hansard Transcript 22 June 2018 p.605]

In relation to the standard of the training that will be prescribed by the regulation:

THE CHAIR: Going back to the question I asked previously, minister, what is the standard of training that is going to be prescribed by the regulation powers?

Mr Young: That is quite a technical issue that we are working through at the moment. I am happy to provide something on notice that gives more information about the nature of the training courses that are being proposed.

RACHEL STEPHEN-SMITH MLA: The answer to the Member's question is as follows:—

The Work Health and Safety Amendment Bill 2018 (the Bill) includes amendments to the *Work Health and Safety Regulation 2011* (WHS Regulation) in part 3 of the Bill. The amendments in part 3 of the Bill insert a new section 21B into the WHS Regulation which sets out the type of training course that a Health and Safety Committee (HSC) member would be entitled to attend and states the matters that must be considered by the regulator in approving a training course.

Under the new section 21B in part 3 clause 25 of the Bill, a training course that a HSC member is entitled to attend is a course which is not less than four hours and the regulator may have regard to any relevant matters in approving a training course, including:

- the content and quality of the curriculum and its relevance to the powers and functions of a HSC; and
- the qualifications, knowledge and experience of the person who is to provide the course.

The new section 21B in part 3 clause 25 of the Bill mirrors the current legislative requirements for health and safety representative training courses under the *Work Health and Safety Act 2011*.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:

Date:

2/7/18

By the Minister for Workplace Safety and Industrial Relations, Rachel Stephen-Smith MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

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

Asked by Mr Andrew Wall MLA on 22 June 2018: Ms Rachel Stephen-Smith MLA took on notice the following question(s):

[Ref: Hansard Transcript 22 June 2018 p.609]

In relation to the regulatory impact statement for the Work Health and Safety Bill:

Ms Stephen-Smith: Can I just respond to one of Mr Wall's earlier questions? I can confirm that a regulatory impact assessment was undertaken.

THE CHAIR: Are you able to provide that to the committee, minister?

Ms Stephen-Smith: I will have to seek advice on that.

RACHEL STEPHEN-SMITH MLA: The answer to the Member's question is as follows:—

A Regulatory Impact Statement (RIS) was prepared for Cabinet's consideration of the Work Health and Safety Amendment Bill 2018 and remains Cabinet in Confidence. A Triple Bottom Line Assessment will be released in line with standard Cabinet reporting processes.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:

Date: 18/7/18

By the Minister for Workplace Safety and Industrial Relations, Rachel Stephen-Smith MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

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

Asked by Elizabeth Lee MLA on 25 June 2018: Ms Natalie Howson took on notice the following question(s):

Ref: Hansard Transcript 25 June 2018 PAGE 645

In relation to:

- a) Details of the per student with disability amount of funding; and
- b) The number of students that relate to the new initiative *More Schools, Better Schools – Needs Based Funding for Students with Disability* (pg 104 Budget Paper 3 – Education Directorate)

Yvette Berry MLA: The answer to the Member's question is as follows:–

- a) The per student with a disability amount of funding is based on the total cost of educating students with a disability divided by the number of students. More specifically the average cost per student includes:
 - Direct in school costs associated with students with a disability. These costs are essentially the operating costs of the schools and include teaching and support staff wages and salaries and operational costs including teaching materials;
 - Direct costs that are managed centrally by Education Support Office including counselling and support services for students, repairs and maintenance and information and communication technology; and
 - Indirect overheads including human resource services and financial services.

The total cost calculated as above is then divided by the student numbers to derive the average cost per student.

- b) The *More Schools, Better Schools – Needs Based Funding for Students with Disability* initiative is based on maintenance of existing funding levels for 2,237 students with a disability.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:

Date: 06/07/18

By the Minister for Education and Early Childhood Development, Yvette Berry MLA



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS

Asked by Elizabeth Lee MLA on 25 June 2018: Ms Natalie Howson took on notice the following questions:

Ref: Hansard Transcript 25 June 2018 PAGE #672

In relation to:

- a) The ratio of school psychologists to students including for future enrolment projections; and
- b) The ratio of allied health professionals to students including for future enrolment projections.

Yvette Berry MLA: The answer to the Member's question is as follows:

The current (2018) ratio for students to school psychologists is:

- i. 1:676 in 2018

Projections are subject to change, and while based on current known factors they are likely to fluctuate; for this reason, they are considered indicative only. Anticipated student to psychologist ratios for 2019 and 2020 are:

- i. 1:638 in 2019
- ii. 1:622 in 2020

Schools access a range of allied health expertise working with psychologists to ensure holistic services are in place, which is best practice and provides diagnostic reliability.

When these factors are considered, the ratio of psychologists and allied health providers (which includes occupational therapists, social workers and speech pathologists) is as follows:

- i. 1:506 in 2018
- ii. 1:488 in 2019
- iii. 1:483 in 2020

These ratios are based on (K-12) and do not include the other staff that are included within the broader Student Welfare teams which consist of school executives, pastoral care, nurses and youth workers.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Date: 06/07/18

By the Minister for Education and Early Childhood Development, Yvette Berry MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

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

Asked by Caroline Le Couteur MLA on 25 June 2018: Mr Rodney Bray took on notice the following question(s):

Ref: Hansard Transcript 25 June 2018 PAGE 672

In relation to:

- a) Are all schools audited by the same arborist?
- b) Does the same arborist also do any work that they have recommended?

Yvette Berry MLA: The answer to the Member's question is as follows:—

- a) School tree audits are managed by ACT Property Group on behalf of the Education Directorate. The ACT Property Group uses a single contractor to undertake school tree audits.
- b) The ACT Property Group advises the same contractor also undertakes rectification works up to the value of \$25,000.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:

Date: 06/03/18

By the Minister for Education and Early Childhood Development, Yvette Berry MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS

Mr Rodney Bray took on notice the following question(s): QTON 261 - Pesticides

Ref: Hansard Transcript 25 June 2018 PAGE 674

In relation to:

- a) Do you do any spraying of pesticides or herbicides outside in the school grounds?
- b) What pesticides are used and, again, are they managed centrally or by the school?

Yvette Berry MLA: The answer to the Member's question is as follows:—

- a) Building Support Officers (BSOs) in schools, as part of their duties and in line with the mandatory training provided, may address minor infestations in external areas with 'off the shelf' pesticide chemicals.
- b) Pesticides are chosen by BSOs and the types vary from school to school. Treatments in schools are managed by the individual school. They may either control pest infestations in house, or contract professional pest control organisations where extraordinary situations may arise.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:

Date: 06/07/18

By the Minister for Education and Early Childhood Development, Yvette Berry MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Caroline Le Couteur: To ask the Minister for Transport & City Services

Ref: Budget Statement H, ACTION, page.21

In relation to: the gender composition of ACTION's workforce

1. What percentage of ACTION's workforce is women?
2. Does ACTION have policies and recruitment strategies that encourage women to apply and a work culture encourages gender equity?
3. What is the gender breakdown within ACTION's workforce in:
 - a. permanent positions;
 - b. casual positions;
 - c. executive roles; and
 - d. other senior positions ?

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

1. 10.7%
2. Transport Canberra is actively seeking to encourage greater gender equity in its workforce. Transport Canberra adhere to all ACT Government Recruitment policies and procedures and always encourage applicants from diversity groups when advertising vacant positions.
3. By head count:

	Male	Female
a	817	97
b	2	28
c	2	0
d*	20	5

*Please note senior positions have been classified as Senior Officer Grade C and above.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:

Date:

9/7/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Caroline Le Couteur: To ask the Minister for Transport and City Services

Ref: Transport Canberra, Output Class 1, Light Rail

In relation to: Work on designing Stage 2 of Light Rail

1. What is your timetable from now?
2. Will you be continuing design work on issues such as stop design and alignment to Yamba Drive while the Federal Government runs their process?
3. When will a decision be made on whether the express bus service will continue from City to Woden Town Centre?
4. When will a decision be made on whether the vehicles need to stop all stations?
5. When will a decision be made on whether bus and Light Rail will share space?

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

1. An indicative timetable may be found on page 60 of the *Gungahlin to Woden (via Barton) Light Rail Update* of June 2018. It is accessible at this location:

https://www.transport.act.gov.au/_data/assets/pdf_file/0003/1212636/Light-Rail-Update-June-2018.pdf
2. Yes, noting the degree of design development will depend upon the extent to which available resources must instead be directed to addressing inquiry matters.
3. This decision will likely not be made until closer to the commencement of operations of Light Rail Stage 2. This is indicatively in 2023-24.
4. This detail will be finalised definitively only once procurement for Light Rail Stage 2 has been completed. However, guidance will likely be provided during the Environment Impact Statement (EIS) process. It is noted that light rail systems typically do not provide for services which do not stop at all stops.
5. Shared areas for bus and light rail will be considered as part of the EIS process. It is highly unlikely that light rail and buses will operate such that buses share tracks with light rail.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:

A handwritten signature in blue ink, appearing to be 'MG', is written over a horizontal blue line.

Date: 4/17/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Caroline Le Couteur: To ask the Minister for Transport and City Services

Ref: Transport Canberra, Public Transport Concession, Budget Paper 3, p179

In relation to: Free Senior and Concession off-peak bus travel trial

1. Why is this program being delivered as a trial?
2. As a trial, what criteria are being used to monitor and assess its success or otherwise?
3. What are the findings so far?
4. I notice that it is being internally funded. Where is the money coming from internally?

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

1. Free off-peak concession travel is being delivered initially as a trial so that the Government can evaluate the success or otherwise of the program.
2. The program will be evaluated primarily against three criteria:
 - a. change in the number of trips made by eligible customers;
 - b. operational benefits, such as a reduction in waiting at bus stops and better customer travel data from customers using MyWay instead of cash tickets; and
 - c. customer benefits, such as reduced cost of living for vulnerable Canberrans.
3. The evaluation of the scheme is ongoing. However, I am advised that the scheme appears to have produced a number of benefits. During the first 12 months of the scheme, there was:
 - a. a 28% increase in weekday trips during off-peak periods that qualified for the free travel in comparison to the previous 12 months; and
 - b. an increase in MyWay card usage to 78% among eligible concession customers, compared with 72% in the previous 12 months.
4. The scheme is being funded from Transport Canberra's existing budget allocation.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:

A handwritten signature in blue ink, appearing to be "MG", written over a horizontal line.

Date:

4/7/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Caroline Le Couteur: To ask the Minister for Transport and City Services

Ref: Budget Statement H

In relation to: Transport Planning - Parking

1. Has a review of the Parking and Vehicular Access General Code in the Territory Plan been commenced? If so,
 - a. What is its current status?
 - b. When is public consultation due to commence, and what will it be based on (e.g. Draft Variation, discussion paper)?
2. Is any work being undertaken on the introduction of a parking offset fund? If so,
 - a. What is its current status?
 - b. When is public consultation due to commence, and what will it be based on (e.g. Draft Variation, discussion paper)?
3. Traditionally apartment owners have not been able to sell their parking spaces separately from their dwelling. Recently, off-the-plan apartments have been sold offering a choice of buying one or two spaces. Is this practice legal, and if so, under what process or legislation?
4. Is any work being undertaken on the impact of autonomous vehicles on parking demand? If so, what is the nature of that work?

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

1. Yes.
 - a. The review of the Parking and Vehicular Access General Code (Parking Code) in the Territory Plan has commenced. The review of the Parking Code is being informed by:
 - ii. a consultant's review of the Parking Code, completed in 2017;
 - iii. Disability Parking Review, to be completed in 2018;
 - iv. City Parking Strategy, to be completed in 2018;
 - v. Targeted stakeholder engagement, to be undertaken in 2018.
 - b. Public consultation of the draft variation to the Territory Plan is expected to be undertaken in 2019.
2. A review of the Parking Offset Fund is dependent upon the review of the Parking and Vehicular Access General Code (Parking Code).
 - a. See response above.
 - b. The ACT Government will consider the need for a Parking Offset Fund following completion of the review of Parking Code. Public consultation will be determined as a

part of these considerations.

3. Apartment owners are not able to sell their car parks separately from their units, as they are subsidiaries to the unit and are not separately titled. Depending on Territory Plan requirements, developers may be required to provide a certain amount of car parking spaces for each development. If they supply an amount of car parking spaces over and above what is required for the development by the Territory Plan, there is no legislation which prohibits the sale of the extra car parking spaces to prospective purchasers.
4. Some research institutions are investigating the future impact of autonomous vehicles, including on parking demand. The outcome of this work could include the development of new transport modelling software which has the capability to predict changes arising from the introduction of an autonomous vehicles fleet. The ACT Government is monitoring research in this area and its future application to the ACT.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:



Date:

10/7/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Caroline Le Couteur: To ask the Minister for Transport & City Services

Ref: Output 1.1 – Transport Canberra

In relation to: Transport Planning

Transport is a social determinant of health. Critically, given Canberra's physical structure, services tend to cluster in the town centres and CBD.

1. Do you undertake quantitative assessments or mapping that monitor affordability and accessibility of transport across the city across all forms of transport – bus, light rail, shared options and active transport infrastructure?
2. Do you use – or could you use - the 'concessions' indicator in MyWay data to identify geographic areas with particular affordability-related access issues?

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

1. The Canberra Strategic Transport Model is utilised to test performance of the ACT transport system in terms of mode share, accessibility and the impact of various parameters such as parking charges, fuel pricing, public transport pricing, and congestion on travel behaviour.
2. Yes, this data is available to Transport Canberra.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:

Date: 4/7/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Caroline Le Couteur: To ask the Minister for Transport and City Services

Ref: Budget Statement H, p. 21

In relation to: Transport Canberra – Accountability Indicators of Bus Services

You have Accountability Indicators for buses being on time, which is clearly important. However to public transport users a major issue is how long it takes to complete their journey, which comes down to route planning. Have you considered any Accountability Indicators with respect to the average trip time for passengers?

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

All long term targets and accountability indicators will be adjusted following the introduction of light rail and the commencement of the new bus network. The ACT Government will consider what accountability indicators are appropriate for Transport Canberra as part of this process.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:

A handwritten signature in black ink, appearing to be "Mick Gentleman".

Date: 12/7/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Caroline Le Couteur: To ask the Minister for Transport & City Services

Ref: Budget Statement H, Output Class 1 – Transport, & Output Class 2.1 – Roads & Infrastructure

In relation to: Cycling and walking infrastructure

1. What walking and cycling network upgrades are funded for delivery in the electorate of Murrumbidgee during the 18/19 and 19/20 financial years? (Active Travel Office)
2. Where in the budget papers is community path, including footpath and shared path, maintenance funding identified? (Finance TCCS)
3. What is the budgeted community path maintenance expenditure for 2018/19 and the budget out years? (Road Maintenance)

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

1. The 2018–19 ACT Budget includes \$6 million for two walking cycling network upgrades to be delivered in the electorate of Murrumbidgee during the 2018-19 and 2019-20 financial years.

\$4.8 million is for Woden Town Centre active travel works including a new town centre cycle loop, new and upgraded paths to provide better access to the town centre as well as works to revitalise the Town Centre. A further \$0.5 million budgeted in the 2020-21 financial year.

The remaining \$1.2 million is to construct a new walking and cycling link between Lyons and Weston following Heysen Street.

2. Maintenance funding for community paths, including footpaths and shared paths, forms part of the recurrent base funding and is aggregated into the numbers shown in Table 5, Output 2.1: Roads and Infrastructure – 2018-19 Budget Statement H, Page 19.
3. In 2018-19 community path maintenance budget is approximately \$5.3 million. Similar budget is expected for community path maintenance in the coming years.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:



Date:

11/7/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Caroline Le Couteur: To ask the Minister for Transport & City Services

Ref: Budget Statement H, page 18

In relation to: Roads and Infrastructure: Streetlights

1. The American Medical Association has stated that:

“High-intensity LED lighting designs emit a large amount of blue light that appears white to the naked eye and creates worse night-time glare than conventional lighting. Discomfort and disability from intense, blue-rich LED lighting can decrease visual acuity and safety, resulting in concerns and creating a road hazard.” Reference: American Medical Association <https://www.ama-assn.org/ama-adopts-guidance-reduce-harm-high-intensity-street-lights>

Apparently this effect can be managed through design of the fixture. Is there any work being done to take this issue into account in design of ACT streetlights?

2. How is the issue of streetlight glare that affects astronomy taken into account in the choice of LED lighting fixtures for street lighting?

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

1. Manufacturers and retailers can differ in their definition of the light range titles, though typically: warm white is around 2700 Kelvin (K) to 3500K; natural white is around 4000K to 4500K; cool white is around 5000K to 6500K. Light fittings selected for the LED upgrade of the streetlight network are not high intensity at 4000K, providing enhanced energy efficiency, brightness and safety improvements whilst minimising potential negative impacts.
2. Yes. The light fittings selected for the LED upgrade of the streetlight network are required to be 0% upward light aiming to minimise impacts on astronomy observations.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:

Date: 4/7/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Caroline Le Couteur: To ask the Minister for Transport & City Services

Ref: Budget Paper 3, page 134

In relation to: Adopt-A-Park

1. Can you give me an outline of how Adopt-a-Park is going to work?
2. How is it going to solve the problem the community has of not being able to work with a single 'entry point' or case officer in TCCS?
3. Is there going to be a review of internal processes to allow, for example, TCCS staff to review community plans and then 'safety-check' work after it is done?
4. Is TCCS going to have the budget flexibility to do work the community will struggle to do by itself, like providing maps for site planning, delivery of wood chip or soil ripping for tree planting?
5. What kinds of work will be eligible for the grants? Will it include playgrounds for example?
6. When will it start?

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

1. The Adopt-a-Park program aims to encourage community members to volunteer in managing public spaces and parks in their area. It will facilitate individuals, families, groups, clubs or businesses to participate in litter reduction, park beautification and community engagement activities.
2. A dedicated project officer will work with the community to facilitate and coordinate the Adopt-a-Park program.
3. This initiative will not involve a review of existing internal processes used to facilitate and manage volunteer activities.
4. A dedicated project officer will facilitate and support all Adopt-a-Park projects. The need for co-contributions or assistance from Government will be assessed on a case-by-case basis.
5. The Adopt-a-Park initiative is a recurrent initiative and as such eligible works will include service improvement to existing landscaping assets such as garden beds, litter removal, provision of trees and shrubs and so on. The initiative aims to achieve cleaner, greener parks and increase community pride in the space. The Adopt-a-Park initiative will not provide grants for playground equipment or the construction of depreciable assets.

6. The Adopt-a-Park program will commence at the start of the 2019-2020 financial year.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:



Date: 4/7/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Ms Caroline Le Couteur: To ask the Minister for Transport and City Services

Ref: Budget Statement H, p25; Output 2.4: City Maintenance and Services

In relation to: Urban Trees

1. In October last year, the Assembly passed a Motion calling for, amongst other things, a review of the Tree Protection Act to support the delivery of tree canopy cover targets. Has the review commenced yet?
2. What is the process and timing from here?
3. The Motion also called for a joint review of the Territory Plan and Transport Canberra and City Services' (TCCS) infrastructure design standards to ensure that we make room for trees in new development. Has the review commenced yet?
4. What is the process and timing from here?

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

1. Yes.
2. The forward program is currently being developed, but it is anticipated that a comprehensive community consultation process will commence towards the end of the 2018 calendar year.
3. Transport Canberra and City Services is working with officers from the Environment, Planning and Sustainable Development Directorate to progress the review.
4. A comprehensive communications strategy will be developed and will inform the timeline of the review.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: _____

Date: _____

9/7/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Caroline Le Couteur: To ask the Minister for Transport Canberra and City Services

Output Class 1: ACTION

In relation to passenger numbers on different routes:

1. How many passengers did the blue rapid (ie the 300 series bus, not just the 300) and the red rapid (ie the 200 series, not just the 200 bus) have in 2016-2017?
2. What was the total bus network patronage in 2016-17?
3. What are the ten most highly patronised routes 2016 – 2017?
4. If possible, please also provide these figures for any more recent time period.

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

1. Transport Canberra recorded 4,018,849 passengers on Blue Rapid services (300 series) and 1,837,956 passengers on Red Rapid services (200 series) in 2016-17.
2. The total bus network patronage was 18,296,041 in 2016-17.
3. The ten most highly patronised routes in 2016-17 were as follows:

Route	Patronage in 2016-17
200	953,133
313	872,518
343	870,080
300	684,103
2	574,915
900	545,304
3	545,299
40	381,948
5	361,155
314	356,317

4. i. Transport Canberra recorded 4,693,075 passengers on Blue Rapid services (300 series) and 2,101,373 passengers on Red Rapid services (200 series) in 2017-18.

ii. The total bus network patronage was 18,940,914 in 2017-18.

iii. The ten most highly patronised routes in 2017-18 were as follows:

Route	Patronage in 2017-18
200	1,233,188
300	985,134
343	916,597
313	896,055
2	580,336
319	570,039
3	566,204
6	449,027
314	379,824
40	375,115

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Signature:



Date:

12/7/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Candice Burch MLA: To ask the Minister for Transport and City Services

Transport Canberra and City Services, Budget Statement H, page 18, Output 1.1 Transport Canberra

In relation to: ACTION / Canberra Buses

1. How many incidents of workplace bullying or harassment within ACTION / Canberra Buses have been recorded in 2017-18?
 - a. In aggregate, what were the outcomes of those incidents?

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

2. Transport Canberra buses received three complaints of bullying and harassment in 2017-18.
 - a. One was unsubstantiated and two are still under investigation.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:

A handwritten signature in blue ink, appearing to be "Mick Gentleman".

Date:

4/7/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Candice Burch MLA: To ask the Minister for Transport and City Services

Transport Canberra and City Services, Budget Statement H, page 18, Output 1.1 Transport Canberra

In relation to: Dockless bike sharing services

1. Since issuing guidelines for dockless bike share, has the ACT Government worked with any operators of dockless bike share services with a view to them starting operations in Canberra?
 - a. If not, have any expressions of interest been received? From which operators?
 - b. If so, from which operators? What is the progress of any discussions?

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

1. Yes.
 - a. N/A
 - b. An announcement is expected to be made in this respect in due course.

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Signature:

A handwritten signature in blue ink, appearing to be "MG", written over a horizontal line.

Date:

17/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Candice Burch MLA: To ask the Minister for Transport and City Services

Transport Canberra and City Services, Budget Statement H, page 18, Output 1.1 Transport Canberra

In relation to: Existing bike sharing services

1. Which bike sharing services are currently operating in Canberra?
2. What regulatory frameworks are in place to ensure that bike sharing services comply with community expectations?
3. What issues has the ACT Government experienced in relation current bike sharing services?
4. What costs has the ACT Government incurred relating to illegally dumped share bikes? Have any of these costs been passed on to the operators of bike sharing services?

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

1. There are no bike sharing services currently operating in Canberra. However, a number of Canberra hotels provide bike hire services, as does the Canberra and Region Visitors Centre.
2. Last year the ACT Government published Dockless Bike Share Guidelines to provide guidance to organisations looking to setup operations in the ACT, including protection of the public realm and compliance with applicable laws and regulations.

Under the *Public Unleased Land Act 2013*, the ACT Government can issue permits to bike share providers with associated fines to ensure that they operate in a way that meets the expectations of the community.

The National Capital Authority can grant permission for bike share providers to operate on National Land under the *National Land Ordinance 1989* and has recently agreed to accept share bike operations on National Land.

3. There are no bike share providers currently operating in the ACT. However, an announcement regarding a future service is expected to be made in due course. Transport Canberra is closely monitoring the experience of other jurisdictions to determine the best way to introduce bike share in the ACT.
4. Nil (As per response to question 3).

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Date: 4/7/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



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Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Candice Burch MLA: To ask the Minister for Transport and City Services

Transport Canberra and City Services, Budget Statement H, page 18, Output 1.1 Transport Canberra

In relation to: TCCS work safety

1. How many workplace safety incidents have occurred in 2017-18?
2. How many Provisional Improvement Notices have been issued within the Directorate in 2017-18?
3. How many notices or directions under the Work Health & Safety Act 2011 have been issued within the Directorate during 2017-18?
4. How many workers compensation claims have there been within the Directorate in 2017-18?
5. What is the Lost Time injury Frequency Rate (LTIFR) for the Directorate in 2017-18?

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

1. 783 incidents have been recorded in Riskman.
2. Nil.
3. One.
4. 68 workers' compensation claims have been submitted during the period 1 July 2017 to 26 June 2018.
5. The LTIFR for the Directorate for the period July 2017 to May 2018 is 6. Note: Data is not yet available for June 2018.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:

Date:

2/7/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

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Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Candice Burch MLA: To ask the Minister for Transport and City Services

Transport Canberra and City Services, Budget Statement H, pages 58-59

In relation to: School bus travel

1. What percentage of primary school students travel to school by public transport?
 - a. What percentage of primary school students who travel to school by public transport use only a dedicated school bus?
 - b. What percentage of primary school students who travel to school by public transport use a combination of a dedicated school bus and other buses on the regular bus network?
 - c. What percentage of primary school students who travel to school by public transport use a single bus on the regular bus network?
 - d. What percentage of primary school students who travel to school by public transport use a combination of buses on the regular bus network?

2. What percentage of high school students travel to school by public transport?
 - a. What percentage of high school students who travel to school by public transport use only a dedicated school bus?
 - b. What percentage of high school students who travel to school by public transport use a combination of a dedicated school bus and other buses on the regular bus network?
 - c. What percentage of high school students who travel to school by public transport use a single bus on the regular bus network?
 - d. What percentage of high school students who travel to school by public transport use a combination of buses on the regular bus network?

3. What percentage of college students travel to school by public transport?
 - a. What percentage of college students who travel to school by public transport use only a dedicated school bus?
 - b. What percentage of college students who travel to school by public transport use a combination of a dedicated school bus and other buses on the regular bus network?
 - c. What percentage of college students who travel to school by public transport use a single bus on the regular bus network?
 - d. What percentage of college students who travel to school by public transport use a combination of buses on the regular bus network?

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

1, 2 and 3) Transport Canberra has a number of different sources of information about how customers use public transport services. This includes a household travel survey commissioned in 2017, as well as data generated by the MyWay ticketing system.

Based on a household travel survey:

- 5% of primary school students use public transport as their main mode for travel from home to school.
- 26% of high school and college students use public transport as their main mode of travel from home to school.

1 a-d, 2 a-d and 3 a-d) The majority of school students using buses use the ordinary Transport Canberra bus network. A minority use only dedicated school buses. Based on MyWay ticketing data, it is not possible to readily distinguish between trips made by primary school, high school and college students. On weekdays during school terms to date (27 June 2018) during the 2018 calendar year:

- 41% of journeys made by school students using a Student MyWay were on a single dedicated school bus with no transfers.
- 3% of journeys made by school students using a Student MyWay started on a dedicated school bus and included at least one transfer to another bus.
- 41% of journeys made by school students using a Student MyWay were on a single regular route bus (such as a Rapid or local service) with no transfers.
- 15% of journeys made by school students using a Student MyWay started regular route bus and included at least one transfer to another bus.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:



Date:

4/7/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

Candice Burch MLA: To ask the Minister for Transport and City Services

Transport Canberra and City Services, Budget Statement H, page 18, Output 1.1 Transport Canberra

In relation to: Transport network operating costs

1. Farebox recovery as a percentage of total network operating costs is projected to be 15.4%, which below its target of 16.4%. Why is this? What is being done to improve upon this outcome?

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

1. Farebox recovery as a percentage of total network operating costs is projected to be below the original target as a result of reduced fare revenue collected on services. The reduction in revenue results from the provision of off peak travel to Senior and Concession card holders for free as well as free travel provided to passengers travelling on the new rapids for two months after introduction.

Transport Canberra and City Services plan to improve the farebox recovery percentage by increasing patronage through initiatives to improve public transport services and use. These initiatives include infrastructure improvements to bus stops and community paths to access bus stops, new bus purchases to improve quality of the services and the service improvements introduced with the new network in 2019.

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Signature:

Date:

4/7/18

By the A/g Minister for Transport and City Services, Mr Mick Gentleman MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

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Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD 2018-19 Budget Statement B, ACT Insurance Authority

In relation to: Office of the Nominal Defendant and Key Performance Indicators

1. How many claims have been processed by the Office of the Nominal Defendant over the 2017-18 financial year?
 - a. What is the projected number of claims to be processed by the Office of the Nominal Defendant over the 2018-19 financial year?
2. What modelling was used to determine a projected increase in claim numbers for medical malpractice from 2018-19 to 2020-21?

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

1. During the period 1 July 2017 to 26 June 2018 the Nominal Defendant received 55 new claims. As at 27 June 2018, there are 158 open claims being administered by the Office.
 - a. The Office of the Nominal Defendant forecasts that the number of claims it will receive in 2018-19 will be approximately 55, consistent with the number received in 2017-18.
2. The projected numbers are derived from an actuarial assessment provided by the Authority's actuary, PricewaterhouseCooper Actuarial Pty Ltd. The figures are based on claims experience and include general actuarial assumptions of growth such as population.

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Signature: 

Date: 3.7.18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

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Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Statement B, ACT Insurance Authority

In relation to: Reviews

1. How often are reviews conducted of existing claims?
 - a. Who conducts the reviews?
 - b. Are any external contractors involved?
 - i. If so, please provide;
 1. The details of the contractors involved
 2. The value of the contract
 3. The contract number

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

1. Formal reviews of all liability and medical malpractice claims where the reserve exceeds \$250,000 are undertaken every three months.
 - a. The reviews are conducted by ACTIA staff in consultation with the ACT Government Solicitor and the Territory's insurance broker Marsh Pty Ltd.
 - b. The Territory's insurance broker Marsh Pty Ltd is responsible for providing claim update reports to ACTIA's reinsurers. This is one of a number of requirements of their contract with the Territory.
 - i. The Territory's insurance broker is Marsh Pty Ltd
 - ii. The value of the full contract is \$1,164,951
 - iii. The contract number is 2016.28742.110

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: 

Date: 3.7.18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
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Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD 2018-19 Budget Statement B, ACT Insurance Authority

In relation to: Risk management seminars

1. How many targeted risk management seminars were requested for 2017-18?
 - a. How many targeted risk management seminars are projected to be requested in 2018-19?
2. Are targeted risk management seminars conducted by ACTIA staff or by external consultants?
 - a. If external consultants, please provide;
 - i. Details of each consultant utilised
 - ii. Cost of each contract
 - iii. Contract number
3. Have any additional seminars been triggered as a response to an event or poor management strategy by any agency?
 - a. If so, please provide details of each incident and corresponding seminar.

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

1. Ten targeted risk management seminars were requested for 2017-18.
 - a. ACTIA expects that the number of requests for these seminars in 2018-19 will be approximately ten, consistent with the number received in 2017-18.
2. Targeted risk management seminars are arranged by ACTIA and conducted by Marsh Risk Consulting under the Territory's insurance broker contract.
 - i. The Territory's insurance broker is Marsh Pty Ltd
 - ii. The value of the full contract is \$1,164,951. This covers all of the services provided by Marsh Pty Ltd under its contract (in addition to the risk management seminars).
 - iii. The contract number is 2016.28742.110
3. No additional seminars have been requested in response to an event or poor management strategy.

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Signature: 

Date: 3.7.18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
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Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Paper 3, page 306-311

In relation to: debt

1. In relation to loans made to Icon Water, what is the expected outstanding principal of these loans each year from the end of the 2018-19 financial year to the expected last loan maturity date in June 2048?
2. Further to part 1, what is the expected interest payments on these loans each year from the end of the 2018-19 financial year to the expected last loan maturity date in June 2048?
3. Has Icon Water ever had difficulties repaying (i) the ACT Government or (ii) other lenders in relation to loans or borrowings?
 - a. If yes, what difficulties have occurred; when; and how were they addressed?
4. Is there a limit on the amount that Icon Water may borrow (i) from the ACT Government; (ii) from third party lenders; or (iii) as an overall cap?
 - a. If yes, what are the limits and how have they been determined?
 - b. If no, why not?

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

1. Refer Attachment A.
2. Refer Attachment B.
3. No.
4. Under the *Territory-owned Corporations Act 1990*, Icon Water is required to obtain the approval of the Treasurer before entering into any borrowings. Icon Water's borrowing limits from the Territory reflect the maximum estimated face value requirement based on the published Budget estimates (Budget and Forward Years) as well as outstanding borrowings. The limit is reviewed and amended as required following the release of the annual Budget.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: 

Date: 3.7.18

By the Treasurer, Andrew Barr MLA

Attachment A

Estimated Principal Outstanding							
	Medium Term Notes				Inflation-Linked Bonds		
	22 May 2020	22 May 2024	21 May 2026	18 Apr 2028	17 Apr 2020	17 Jun 2030	12 Jun 2048
2018-19	214,875,238	99,106,099	123,850,373	471,261,816	29,239,154	298,489,427	415,020,342
2019-20	note 1	99,270,189	124,002,035	472,112,253	note 5	306,230,483	415,693,999
2020-21		99,441,276	124,157,766	472,990,597		314,032,004	415,867,190
2021-22		99,619,660	124,317,674	473,897,763		322,273,535	415,499,418
2022-23		99,805,651	124,481,873	474,834,698		331,176,133	414,547,630
2023-24		note 2	124,650,477	475,802,378		340,140,193	412,966,075
2024-25			124,823,604	476,801,813		349,158,390	410,706,141
2025-26			note 3	477,834,044		358,223,170	407,716,186
2026-27				478,900,148		367,727,655	403,941,366
2027-28				note 4		377,995,453	399,323,441
2028-29						388,304,415	393,800,578
2029-30						note 6	387,307,146
2030-31							379,773,487
2031-32							371,125,682
2032-33							361,285,307
2033-34							350,169,165
2034-35							337,689,009
2035-36							323,751,248
2036-37							308,256,635
2037-38							291,099,936
2038-39							272,169,584
2039-40							251,347,308
2040-41							228,507,739
2041-42							203,518,006
2042-43							176,237,287
2043-44							146,516,356
2044-45							114,197,087
2045-46							79,111,937
2046-47							41,083,401
2047-48							note 7
note 1	Face value of \$215 million to be repaid on 22 May 2020						
note 2	Face value of \$100 million to be repaid on 22 May 2024						
note 3	Face value of \$125 million to be repaid on 21 May 2026						
note 4	Face value of \$480 million to be repaid on 18 April 2028						
note 5	Final principal repayment made on 17 April 2020						
note 6	Adjusted capital value to be repaid on 17 June 2030						
note 7	Final principal repayment made on 12 June 2048						

Attachment B

Estimated Interest Expense							
	Medium Term Notes				Inflation-Linked Bonds		
	22 May 2020	22 May 2024	21 May 2026	18 Apr 2028	17 Apr 2020	17 Jun 2030	12 Jun 2048
2018-19	9,300,197	4,177,378	3,297,700	15,319,416	2,583,124	17,860,031	21,928,878
2019-20	9,305,262	4,184,090	3,301,662	15,346,437	801,001	18,615,793	21,985,037
2020-21		4,191,087	3,305,731	15,374,344		18,939,067	22,015,999
2021-22		4,198,384	3,309,909	15,403,166		19,679,852	22,019,674
2022-23		4,205,991	3,314,199	15,432,935		20,606,374	21,993,836
2023-24		4,214,349	3,318,604	15,463,680		20,963,552	21,936,116
2024-25			3,323,127	15,495,435		21,322,626	21,843,998
2025-26			3,326,396	15,528,231		21,664,626	21,714,803
2026-27				15,562,104		22,452,530	21,545,685
2027-28				15,595,852		23,510,082	21,333,617
2028-29						23,895,584	21,075,385
2029-30						23,465,309	20,767,572
2030-31							20,406,548
2031-32							19,988,458
2032-33							19,509,208
2033-34							18,964,450
2034-35							18,349,568
2035-36							17,659,664
2036-37							16,889,534
2037-38							16,033,660
2038-39							15,086,185
2039-40							14,040,891
2040-41							12,891,185
2041-42							11,630,071
2042-43							10,250,126
2043-44							8,743,480
2044-45							7,101,783
2045-46							5,316,181
2046-47							3,377,283
2047-48							1,275,376



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Paper 3, pages 252, Icon Water

In relation to: Dividends

1. How does the increase in electricity prices affect the dividends paid by Icon Water to the ACT Government?
2. How is the scheduled increase in electricity prices in 2018-19 expected to affect the dividends paid by Icon Water in 2018-19?

MR ANDREW BARR MLA: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:—

Dividends paid by Icon Water to the ACT Government are affected by ActewAGL Retail profits which are subject to a number of factors including competition. It is too early to determine the impact of increased electricity prices on dividends.

All residual profits derived by Icon Water from ActewAGL Retail are passed onto the ACT Government for the benefit of the ACT community.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: *Andrew Barr*

Date: 4.7.18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

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Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Paper 3, page 214, Icon Water

In relation to: expenses – ActewAGL Shared Services Agreements

1. What was the value of (i) the Corporate Services Agreement and (ii) the Customer Services and Community Support Agreement with ActewAGL during 2017-18?
2. What will the value of (i) the Corporate Services Agreement and (ii) the Customer Services and Community Support Agreement with ActewAGL be during 2018-19?
3. In (i) dollar value and (ii) percentage, what proportion of Icon Water's total expenses during (1) 2017-18; (2) 2018-19; (3) 2019-20; (4) 2020-21; (5) 2021-22; is attributable to the:
 - a. Corporate Services Agreement with ActewAGL;
 - b. Customer Services and Community Support Agreement with ActewAGL;
 - c. Total of both Shared Services Agreements between ActewAGL and Icon Water.

MR ANDREW BARR: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:—

Icon Water has provided certain information regarding the cost of the service contracts during Committee hearings and in written responses to previous Questions on Notice. Icon Water is unable to provide further information with regard to monetary value.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: *Andrew Barr*

Date: 4.7.18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
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Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Statement B pages 198, 203, Icon Water

In relation to: Gifted Assets

1. What types of Gifted Assets does Icon Water accept or receive; and how are they transferred to Icon Water?
2. In relation to assets gifted to Icon Water during 2017-18, (i) what assets gifted, and (ii) what are the locations of the gifted assets?
3. How many land developers gifted assets to Icon Water during 2017-18?
 - a. How does this number compare to previous years?
4. In relation to Gifted Assets received by Icon Water, please advise (i) what assets were gifted; (ii) who gifted the assets; and (iii) the value of the assets during:
 - a. 2013-14;
 - b. 2014-15;
 - c. 2015-16;
 - d. 2016-17;
 - e. 2017-18 to date.
5. What assets are expected to be gifted to Icon Water during 2018-19 and from whom?

MR ANDREW BARR: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:—

1. Icon Water receives gifted network infrastructure assets from developers.

Developers build the water and sewerage infrastructure. Upon completion Icon Water inspects these assets and performs network connections to tie the new infrastructure into the existing water and sewerage network.

Icon Water retains title to the assets that are used to connect customers to the water and sewerage network.

2. In 2017-18 Icon Water was gifted a range of network infrastructure assets, including water and sewerage pipes, fittings, hydrants, valves and manholes.

The assets received are located throughout the ACT. The majority of the value of these assets are in the suburbs of Taylor, Reid, Throsby, Denman, Franklin, Greenway, Phillip and Watson.

3. In 2017-18, Icon Water received a large proportion of gifted assets from 10 different developers for sizeable developments, compared to 6 in 2016-17.

Icon Water receives many gifted assets from various other developers however the value of these is less significant as the developments are small. In 2017-18, there were 22 different developers that provided gifted assets for these smaller developments, compared to 24 in 2016-17.

4. Icon Water receives a range of network infrastructure assets from developers. The majority of the gifted assets have been provided by the Suburban Land Agency (and prior to 1 July 2017, the Land Development Agency).

The value of gifted assets received over the past 5 years is shown below:

2013-14	2014-15	2015-16	2016-17	2017-18*
\$m	\$m	\$m	\$m	\$m
20.0	10.6	25.3	18.8	17.1

* The 2017-18 financial year data is currently not finalised however is not expected to vary significantly from the figures shown.

5. Icon Water expects to receive a similar mix of gifted assets in 2018-19 as it has in the past, mainly water and sewerage network assets. It is expected these assets will come from a range of developers.

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Signature: 

Date: 4.7.18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

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Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Statement B, pages 195 – 204, Icon Water

In relation to: renewable energy assets

1. In relation to renewable energy assets held by Icon Water either directly or indirectly, please advise:
 - a. The name and type of asset;
 - i. The location of the asset if physical;
 - b. Whether it is held directly or indirect by Icon Water;
 - i. Icon's Water's share of the asset;
 - c. How the asset was acquired;
 - d. The purchase price paid for the asset;
 - e. If known, the current value of the asset.

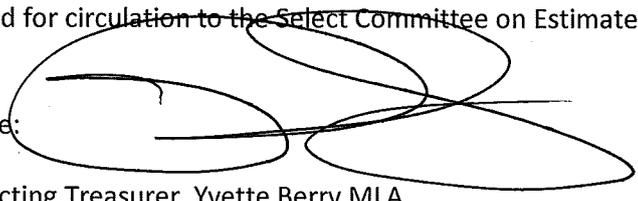
MS YVETTE BERRY MLA: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:–

All Icon Water renewable energy assets in the table below are held directly and 100 per cent owned by Icon Water. The assets were acquired through Icon Water's capital expenditure program.

Name of asset	Location	Asset cost (price quote is total project cost which include equipment, labour and overheads)	Current value (depreciated fair value) at 31 May 2018
Mt Stromlo mini hydro	Stromlo Water Treatment Plant, Mount Stromlo Road	\$2.26m (2000) Plus refurbishment of \$1.49m (2017)	\$1.45m (current value after refurbishment)
Googong Dam mini hydro	Googong Dam off Googong Rd	\$1.76m (2004)	\$1.18m
Burra Creek hydro	Williamsdale Road, Burra NSW	The cost of this hydro was incurred as part of the broader Murrumbidgee to Googong infrastructure project.	
Bendora Dam hydro	Bendora Dam	\$1.3m (2007)	\$0.9m

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature:

A handwritten signature in black ink, consisting of several overlapping loops and a horizontal line, positioned over the signature label.

Date: 09/07/18

By the Acting Treasurer, Yvette Berry MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

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Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTED, 2018-19 Budget Paper 3, page 425, Icon Water

In relation to: risks

1. In relation to the “potentially significant risks arising from factors outside [Icon Water’s] control”, how does Icon Water prepare or manage these risks for (i) itself and (ii) ActewAGL as part owner?
2. What involvement do the Ministers have in assisting to mitigate potential risks, or addressing these risks when they arise?
3. What are the most significant potential risks for (i) Icon Water and (ii) ActewAGL during 2018-19?
 - a. How are those potential risks being managed by:
 - i. Icon Water;
 - ii. Ministers.

MR ANDREW BARR MLA: The following answer to the Member’s question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:–

1. Icon Water’s risk management approach for each risk identified on the reference page is outlined below.
 - Regulatory decisions – Icon Water liaises with regulators on an ongoing basis and seeks and considers the views of customers when forming responses to regulatory submissions.
 - Market interest rates – Icon Water monitors market interest rates.
 - Extreme weather events – Icon Water regularly monitors climate forecasts and information from the Bureau of Meteorology; and develops, maintains and tests business continuity plans such as the annual bushfire operational plan.

In managing these risks as they affect its investment in ActewAGL, Icon Water:

- undertakes monitoring and review of risks affecting its investment; and
 - ensures (through its representatives on the ActewAGL Partnerships Board) that ActewAGL has sound risk management arrangements in place.
2. Icon Water’s voting shareholder Ministers have full confidence in the Icon Water Board’s ability to manage risk. In accordance with the *Territory-owned Corporations Act 1990*, Icon Water is required to inform the voting shareholders about significant events affecting the

corporation, such as events that affect or seem likely to affect (i.e. a risk) the value of the corporation.

- 3.i. Icon Water's Statement of Corporate Intent (*Business Strategy 2018–19 to 2021–22*) was tabled in the Legislative Assembly on 7 June 2018. It includes a description of key risks affecting Icon Water in 2018–19.
- 3.ii. In regard to Icon Water's investment in ActewAGL, the most significant risks relate to competition, disruptive technology, changes in the energy sector and adverse regulatory decisions.
- 3.a.i. As described in the *Business Strategy 2018–19 to 2021–22*, Icon Water operates a risk management framework that aligns with the relevant international standard.
- 3.a.ii. As per question 2 above.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: 

Date: 4.7.18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Statement B, pages 198, 203, Icon Water

In relation to : Share of Operating profit from energy investments

1. Are any other investments apart from ActewAGL included under the Share of Operating Profit from energy investments?
 - a. If yes, what other investments are captured under this Budget line, and how big are the investments?
2. Is the revenue received from Icon Water's Share of Operating Profit from energy investments earmarked for any particular use, such as energy concessions?
 - a. If no, why not?

MR ANDREW BARR MLA: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:—

1. No.
2. No
- 2.a. Revenue received from Icon Water is paid into consolidated revenue. Expenditure decisions are taken separately in the budget context.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: 

Date: 4.7.18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
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Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Statements B, page 196, Icon Water

In relation to: staffing – customer services

1. In relation to variation in FTEs between the between the 2018-19 Budget and the 2017-18 estimated outcome; how many roles will be attached to:
 - a. Customer services;
 - b. Insourcing of capital works project management;
 - c. Graduate and trainee programs.
2. Please provide a breakdown of the number of employees Icon Water employed outside of the Shared Services Agreements with ActewAGL during 2017-18 that had a focus on or were attached to customer services by role type or job title.
3. How do these positions or roles differ from what Icon Water already has access to or is receiving under the Shared Services Agreements with ActewAGL?
4. Please provide a breakdown of the number of employees Icon Water employed or had working for them through the Shared Services Agreements with ActewAGL during 2017-18 that had a focus on or were attached to customer services by role type or job title.

MR ANDREW BARR: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:–

1. Additional roles in the 2018-19 budget are as follows:
 - a. Customer services: 1
 - b. Insourcing capital works project management: 7
 - c. Graduate and trainee programs: 7

2. Icon Water has a customer engagement group which is focused on the following customer facing activities, separate to the service contracts.

Activity	FTE
• trade waste and metering	8
• development and building approvals	16
• non-billing related customer and community queries	6
• key account management	1

3. The services Icon Water's customer services staff deliver differ from the services accessed through the service contracts. Icon Water's customer service staff interact with customers on a broad range of water and sewerage service and network matters. These can include, but are not limited to, network queries, trade waste issues, metering and building approvals, and queries about Icon Water activities.
4. In 2017-18 Icon Water directly employed 6 staff for customer services and customer management – refer above. Icon Water receives customer billing and call centre services through the service contracts with ActewAGL.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: 

Date: 4.7.18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
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Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Statement B, pages 195 – 204, Icon Water

In relation to: staffing – executive

1. Please provide a breakdown of the (i) total number of executives; (ii) salary range or pay points for the executive team; (iii) number of individuals at each salary range or pay point; and (ii) annualised total salary of the executive team during:
 - a. 2007-08;
 - b. 2008-09;
 - c. 2009-10;
 - d. 2010-11;
 - e. 2011-12;
 - f. 2012-13;
 - g. 2013-14;
 - h. 2014-15;
 - i. 2015-16;
 - j. 2016-17;
 - k. 2017-18 to date.

MR ANDREW BARR MLA: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:–

This information has been made publicly available on our website at
<http://www.iconwater.com.au/Media-Centre/Reports-and-Publications/Annual-Reports.aspx>

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: *Andrew Barr*

Date: 4.7.18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
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Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Statements B, page 195-196, Icon Water

In relation to: staffing – mental health

1. How many Icon Water employees have made allegations of bullying or complaints about poor work culture during:
 - a. 2015-16;
 - b. 2016-17;
 - c. 2017-18 to date.
2. Have any trends been identified in relation to staff making allegations of bullying or complaints about poor work culture?
 - a. If so, what are the trends and how have they been addressed?
3. How many Icon Water employees have accessed Employee Assistance Programs, mental health schemes or work related counselling during:
 - a. 2015-16;
 - b. 2016-17;
 - c. 2017-18 to date.
4. Have any trends been identified in relation to staff accessing these assistance programs or schemes?
 - a. If so, what are the trends and how have they been addressed?

MR ANDREW BARR MLA: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:–

1. In 2015-16 there was one report of bullying. The responses to 1b and 1c were provided in response to QTON E18-233 submitted on 2 July 2018.
2. No.
3. The Employee Assistance Program (EAP) provides professional, confidential coaching and support to Icon Water staff and families to assist with all aspects of their life – physical, mental, social and financial. Staff and their families are entitled to six visits to the EAP annually.

The number of Icon Water employees or members of their family who accessed the EAP service is as follows:

- a. 34 cases in 2015-16;
 - b. Refer QTON E18-234; and
 - c. Refer QTON E18-234.
4. There has been a decrease in the number of staff/families accessing the EAP in 2017-18 as compared to 2016-17. Mental health and family relationships were key presenting issues in both 2016-17 and 2017-18.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: 

Date: 16.7.18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Statements B, page 196, Icon Water

In relation to: staffing – non-ongoing employees and contractors

1. In relation to variation in FTEs between the 2017-18 estimated outcome and the 2017-18 Budget; why have contractors been engaged rather than non-ongoing employees?
2. What is the difference in cost in engaging a contractor compared to a non-ongoing employee?
3. During 2017-18, how many people were engaged as:
 - a. Non-ongoing employees;
 - b. Contractors engaged instead of non-ongoing employees.
4. During 2017-18, what was the average length of a contract for:
 - a. Non-ongoing employees;
 - b. Contractors engaged instead of non-ongoing employees.
5. During 2017-18, what was the average hourly wage or value of a contract for:
 - a. Non-ongoing employees;
 - b. Contractors engaged instead of non-ongoing employees.
6. Are these contracts with contractors engaged instead of non-ongoing employees reported in Icon Water's Annual Report if they are above the \$25,000 threshold?
 - a. If no, why not?

MR ANDREW BARR: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:–

Given the Budget Statement reference used, Icon Water has assumed that questions relate to technology projects.

1. As advised in response to QON 120 in July 2017, Icon Water's preference is to engage temporary employees, resulting in a corresponding increase in the FTE count. However, given the specialised skills required for some roles within the projects and the need to fill roles within a specific timeframe, the team will also include contractors. The number of contractors within the team at any given time will be dependent on our ability to fill the roles with temporary employees.

2. The difference in cost between engaging a contractor and a non-ongoing employee can vary significantly depending on the length of contracts, specialisation of skills, and Icon Water's commercial negotiations with the firm providing a contract resource.
- 3.a. In 2017-18, there were nine non-ongoing employees engaged in technology projects and of these, seven commenced in 2016-17.
- 3.b. Icon Water assesses each role to determine whether suitable to be filled by non-ongoing employees. During 2017-18, 35 of these roles were filled by contractors. All roles were advertised prior to engagement of a contractor.
- 4.a. Non-ongoing employees engaged for technology projects: the average duration is approximately 21 months.
- 4.b. Contractors engaged for technology projects instead of non-ongoing employees: the average duration is approximately 11 months.
- 5.a. Non-ongoing employees: the average hourly wage (i.e. including superannuation and payroll costs such as workers compensation and payroll tax) for non-ongoing employees working on technology projects is approximately \$112.
- 5.b. Contractors engaged instead of non-ongoing employees: the average hourly rate for contractors engaged instead of non-ongoing employees in 2017-18 was \$144.
6. As a Territory-owned corporation, Icon Water is not required to report this information in the Annual Report.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: 

Date: 4.7.18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

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Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Statements B, page 195-196, Icon Water

In relation to: strategies – ActewAGL involvement

1. How does (i) Icon Water and (ii) ActewAGL as part of the Shared Services Agreements contribute to or deliver the following Icon Water strategies underpinning Icon's objectives:
 - a. Health and Safety;
 - b. People and Diversity;
 - c. Customer;
 - d. Asset;
 - e. Digital;
 - f. Financial;
 - g. Regulatory.
2. Further to part 1, how does Icon Water manage the effectiveness of strategies and initiatives that are fulfilled or partially fulfilled by ActewAGL?
3. How does Icon Water direct ActewAGL to undertake or comply with these strategies or tasks?

MR ANDREW BARR MLA: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:—

1. (i) Icon Water is responsible for developing and delivering the Icon Water Business Strategy.
(ii) ActewAGL's involvement in strategies is limited to advice and support relating to the people and diversity element of Icon Water's Business Strategy.
2. Please refer to the response provided to Question on Notice No.E17-055 (question 6) on 7 July 2017 in relation to governance of the services contracts. The performance of all services under the services contracts are managed through these governance arrangements.
3. ActewAGL are required to comply with their obligations under the services contracts.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: 

Date: 4.7.18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

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Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Statements B, page 196, Icon Water

In relation to: strategies – customer strategy

1. In relation Icon Water's customer focused strategy to "deliver an exceptional customer experience across all areas of our business"; how does Icon control their customer's experience when ActewAGL handles customer interactions under the Customer Services and Community Support Agreement?
2. Does Icon Water set its own policies independent of ActewAGL in regard to customer service and handling of enquiries?
 - a. If no or there are joint policies, what are the policies and how was Icon Water involved in the development?
 - b. If yes, what are Icon Water's policies and how do they differ from ActewAGL?
3. Is Icon Water customer information stored on the same system as ActewAGL's customer information and handled by the same staff?
 - a. If yes, how are data and privacy risks mitigated between the two organisations?
4. How many instances of improper access or use of customer information or records have been reported to Icon Water by ActewAGL each year since the commencement of the Customer Services and Community Support Agreement?
 - a. How have these risks and instanced been handled by (i) Icon Water and (ii) ActewAGL respectively?

MR ANDREW BARR: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:–

1. As with the provision of any service in relation to customer experience, Icon Water has a range of internal controls including policies, frameworks, management and governance processes.
2. Yes. Icon Water has a customer management policy that is available to the public via our website at www.iconwater.com.au. Given that Icon Water and ActewAGL have obligations specified in the *Consumer Protection Code* determined by the ICRC under section 59 of the *Utilities Act 2000* with regard to customer service and handling of enquiries, policies are similar in nature.

3. Icon Water customer information is stored on the same system as ActewAGL's customer information. Data and privacy risks are mitigated between the two organisations by setting ICT user security profiles to ensure that staff access is limited to information applicable to performing their tasks.
4. To the best of our knowledge, ActewAGL has not reported any instances of improper access or use of Icon Water customer information or records for the period FY 2012-2017. Reporting for FY 2018 has not been finalised.

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: 

Date: 4. 7. 18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Statements B, page 195-196, Icon Water

In relation to: strategies – management of ActewAGL

1. Have contract variations to the Shared Services Agreements with ActewAGL been negotiated to give effect to Icon Water's stated seven strategies in Budget Statement B?
 - a. If yes, what were the variations and when did they come into effect?
 - b. If no, what are the arrangements and how did they come about?
2. Were ActewAGL involved in the development of Icon Water's strategies?
 - a. If yes, how were they involved?
3. Have there been any strategies or any initiatives that Icon Water wanted to undertake which ActewAGL have said they will not do or are not possible?
 - a. If yes, what were the strategies and initiatives, and why could ActewAGL not accommodate these requests?
4. Has ActewAGL provided feedback on the implementation and effectiveness of the strategies?
 - a. If yes, what was the feedback?
5. What key performance indicators are attached to each of these strategies for (i) Icon Water and (ii) ActewAGL?
 - a. Was each key performance indicator met during 2017-18?
 - i. If no, why not?

MR ANDREW BARR MLA: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:–

1. No. Please also refer to response to Question on Notice No. E18-293.
2. Yes. ActewAGL subject matter experts provided advice and assistance on a range of matters during the development of the people and diversity element of Icon Water's Business Strategy.

3. No.
4. No. However, ActewAGL subject matter experts provide ongoing reporting to the Icon Water executive committee and the Icon Water board on implementation of the people and diversity element of Icon Water's Business Strategy.
5. Icon Water's performance indicators and targets for the strategies outlined in Budget Statements B are included on pages 14-15 of Icon Water's Statement of Corporate Intent (*Business Strategy 2018-19 to 2021-22*), tabled in the Legislative Assembly on 7 June 2018.

Performance against indicators and targets for the prior year statement of corporate intent will be reported in Icon Water's annual report for 2017-18 (prepared and published in accordance with the Government's annual reporting arrangements).

Approved for circulation to the Select Committee on Estimates 2018-2019

Signature: 

Date: 4.7.18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Paper 3, pages 214, Icon Water

In relation to: upgrades – electrical and instrumentation control systems

1. What Icon Water electrical and instrumentation control systems will be renewed and upgraded during 2018-19?
2. How will the renewal and upgrading of 498 electrical and instrumentation control systems across 93 Icon Water facilities be managed?
 - a. What involvement does ActewAGL have with the renewals and upgrades in relation to the Shared Services Agreements?
3. In relation to the upgrades to the electrical and instrumentation control systems, what is the:
 - a. Total cost to date;
 - b. Total expected cost of the upgrades.
4. Will there be any disruptions to service due to the electrical and instrumentation control systems upgrades?
 - a. If yes, how will they be managed and how will the public be notified?

MR ANDREW BARR MLA: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:–

1. Icon Water will be renewing or upgrading the electrical and instrumentation control systems across a range of sites and assets including water reservoirs, treatment plants, flow control valves, vents and water and sewage pump stations.
2. Icon Water will be engaging the services of both a design consultant and a principal contractor to deliver the works. The management of these contracts and other stakeholders will be performed by a project delivery team who follow Icon Water's project management processes.
 - 2.a. ActewAGL is not required to perform any specific role in this project.
 - 3.a. The total cost on the project as at May 2018 was \$2,168,629.

3.b. The total expected cost to complete the project as at May 2018 is \$22,073,269.

4. There will be planned outages of sections of the network during the various construction phases of the program. These planned outages will be managed through coordination with Icon Water Operations to ensure the impact to customers is minimised.

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Signature:



Date: 4.7.18

By the Treasurer, Andrew Barr MLA



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Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Paper 3, page 214, Icon Water

In relation to: upgrades – information technology and ActewAGL

1. What specific information technology infrastructure used by Icon Water is being upgraded?
2. For each system, program or piece of infrastructure identified in part 1, please advise:
 - a. Whether it is solely used by Icon Water, or whether ActewAGL also makes use of the infrastructure;
 - b. Whether ActewAGL is contributing to the upgrades costs.
3. Do the upgrades to Icon Water's information technology infrastructure come under the Corporate Services Agreement with ActewAGL?
 - a. If yes, what are Icon Water's and ActewAGL's respective responsibilities in relation to the upgrades?
 - b. If no, please advise:
 - i. What impact these upgrades have on the Corporate Services Agreement;
 - ii. Whether there have been any variations, cost or otherwise, to the Corporate Services Agreement.
4. Was Icon Water's 10-year renewal program factored into the Corporate Services Agreement?
 - a. If yes, how?
 - b. If not, why not?

MR ANDREW BARR: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:—

1. The renewal of works and asset management system is an operational technology project required to replace the existing end of life system.
2.
 - a. This system is not shared with ActewAGL.
 - b. ActewAGL is not contributing to costs.
3. No.
 - a. Not applicable.

- b. (i) ActewAGL's involvement in the delivery phase is limited to ensure existing business as usual capabilities continue. It is too early to determine the impact on the corporate services contract upon completion of the upgrade.
(ii) Not applicable. See above.

4. No.

- a. Not applicable.
- b. The technology renewal program post-dated the establishment of the corporate services contract.

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Signature: 

Date: 4.7.18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

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ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Paper 3, pages 214, Icon Water

In relation to: upgrades – Lower Molonglo Water Quality Control Centre

1. What has previously been upgraded at the Lower Molonglo Water Quality Control Centre?
2. What upgrades will occur at the Lower Molonglo Water Quality Control Centre during 2018-19?
3. What upgrades to the Lower Molonglo Water Quality Control Centre are still required or will be required in the future?
4. When are the upgrades to the Lower Molonglo Water Quality Control Centre scheduled to be completed?
5. In relation to the upgrades to the Lower Molonglo Water Quality Control Centre, what is the:
 - a. Total cost to date;
 - b. Total expected cost of the upgrades.

MR ANDREW BARR MLA: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:—

1. The Lower Molonglo Water Quality Control Centre (LMWQCC) is the ACT's main wastewater treatment plant and the largest inland treatment plant in Australia. The LMWQCC was built in 1978 and has been subject to the progressive renewal of select subsystem elements of the treatment process as assets reach their operational service lives. Other drivers for investment in assets at LMWQCC include:
 - growth, to ensure service capacity for our customers as the population grows; and
 - regulation, to ensure compliance with safety, environmental and technical requirements.

During the 2013–18 regulatory period, Icon Water has delivered a major program of works at LMWQCC which has included renewal of the aeration system, electrical systems and the solids handling system.

2. Several major upgrades will continue into the 2018-19 financial year, the most notable being:
 - Solid handling system: screens, grit and ventilation upgrades
 - High Voltage System Renewal
 - Tertiary filters and disinfection system upgrades
 - Bypass dam stabilisation and performance improvements
 - Building and roofing renewals
 - Security (Fencing, CCTV and keying)
3. Current planned upgrades have been provided for in Icon Water's 2018-2023 regulatory submission and any future upgrades are subject to the future regulatory submission for 2023-2028.
4. The table below highlights the schedule completion dates for the projects listed at the response to question 2:

Upgrade	Financial year completion
Solid handling furnace, screens, grit and ventilation upgrade	2019-20
High Voltage System Renewal	2021-22
Tertiary filters and disinfection system upgrades	2020-21
Bypass dam stabilisation and performance improvements	2018-19
Building and roofing renewals	2018-19
Security (Fencing, CCTV and keying)	2018-19

5. a. Approximately \$100m has been spent to date in the 2013-2018 regulatory period on LMWQCC upgrades.
5. b. The total cost of the planned upgrades is approximately \$200m (2013 – 2023 period). Treatment plants generally have a useful life of between 40 to 50 years hence the large investment to renew the asset, which has an insurable value of circa \$830m as at 31 May 2018 based on the estimated replacement cost.

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Date: 16.7.18

By the Treasurer, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Paper 3, pages 214, Icon Water

In relation to: upgrades – mains and water meters

1. How does Icon Water determine the (i) length and (ii) location of water and sewerage mains that require replacement?
2. How is unexpected maintenance factored into the replacement schedule of water and sewerage mains?
3. How does the length of water mains and sewer mains expected to be replaced in 2018-19 compare to previous years?
4. How does Icon Water determine the (i) number and (ii) location of water meters require replacement?
5. What are the locations of the (i) water mains; (ii) sewerage mains; and (iii) water meters that are expected to be completed?
6. Will the water metres be upgraded technology, such as smart water metres?
7. How many of the 7,000 replacement water metres will go to:
 - a. Residential properties;
 - b. Commercial properties?

MS YVETTE BERRY: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:–

1. Icon Water analyses asset condition information, performance history (compliance with pressure and flow standards and unexpected maintenance), asset material type of the main, the number of customers served, and geological information to determine the length and location of mains requiring replacement. These parameters are used as inputs to an analytical model which guides the selection and prioritisation of candidate replacement mains.
2. Sections of mains with high incidences of unexpected maintenance are more likely to be replaced than mains with no history of unexpected maintenance. Replacement programs are reviewed regularly to include recent performance and unexpected maintenance.

3. The total length of water and sewer mains planned for replacement in 2018-19 is broadly consistent with programs undertaken in previous years.
 - Water: a slight increase in renewals from 9kms in 2017-18 to 12km planned for 2018-19.
 - Sewer: no change in the length of mains for renewals with 16 km planned for 2018-19, the same as in 2017-18.

4. Icon Water's water meter replacement program is determined by the following:
 - Water meter testing is undertaken periodically as per requirements of the National Measurement Act 1960, National Measurement Institute – Standard NMI R 49-1 and the ACT Water Metering Code.
 - The meter age and consumption criteria for meter cohorts (different types and sizes) is validated by the testing results to determine which meters must be replaced as part of the planned component of the replacement program.
 - The 20mm meters with service connections that have not been upgraded to the current Icon Water Standard and meet the above replacement criteria are also programmed to be replaced.
 - Meters identified as having failed prematurely (examples include burst/ damaged meters) during meter reading or via customer notification are replaced under the unexpected maintenance component of the replacement program.

The 20mm (small) meters which make up 95% of Icon Waters in-service water meter fleet are replaced by suburb when the majority of the meters meet the replacement criteria. The 25mm – 150mm (larger meters) which make up the remainder of Icon Water's in-service water meter fleet (5%) are located throughout the ACT and therefore replaced as required.

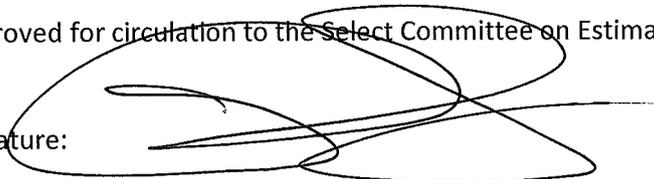
5.
 - (i) Water mains in older areas around central Canberra are currently scheduled for renewal.
 - (ii) Sewer mains with a high number of unexpected maintenance are scheduled for inspection and replacement. These are clustering in areas built in the late 1960's including Belconnen, Inner North Canberra, Inner South, Woden Valley and some parts of Tuggeranong.
 - (iii) Small (20mm) meters:
 - Meters in suburbs - Kambah is currently being targeted. Suburbs under review to be targeted thereafter include O'Connor and Griffith.
 - Meters located on the outskirts of the ACT due for replacement – proposed areas under review to be targeted are Molonglo District, Paddy River District and Majura District.

Large (25mm - 150mm) meters are to be replaced throughout the ACT as noted in section 4 above.

6. Icon Water continues to develop its understanding of the customer demand for smart metering, which includes trialling new smart water meter and communication technology, customer surveys and reviewing the findings of other utility trials. The majority of water meters being replaced or installed for new developments will continue to be mechanical meters until there is sufficient demand and benefits for a full smart meter rollout for customers.
7. Meter replacements planned for 2018-19:
 - Residential properties: approximately 6,300 meters
 - Commercial properties: approximately 700 meters (includes large residential, institutional and commercial).

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Signature:



Date: 09/07/18

By the Acting Treasurer, Yvette Berry MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2018-2019

Mr Andrew Wall MLA (Chair), Ms Tara Cheyne MLA (Deputy Chair), Ms Caroline Le Couteur MLA,
Ms Elizabeth Lee MLA, Ms Suzanne Orr MLA

ANSWER TO QUESTION ON NOTICE

MR ALISTAIR COE MLA: To ask the Treasurer

Ref: CMTEDD, 2018-19 Budget Paper 3, pages 214, Icon Water

In relation to: upgrades – solar photovoltaic technology

1. How will solar photovoltaic technology be used at Icon Water?
2. How many solar photovoltaic panels will be installed, and what other technologies will be used in conjunction?
3. Where will the solar photovoltaic technology be installed?
4. In relation to the solar photovoltaic technology, what is the expected cost and value of:
 - a. Installing the technology;
 - b. Annual maintenance;
 - c. Offsets to electricity usage?
5. How much energy is the solar photovoltaic technology expected to generate annually?
6. What is Icon Water's average annual energy use?

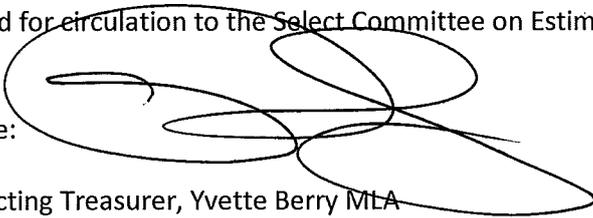
MS YVETTE BERRY MLA: The following answer to the Member's question has been sought from Icon Water Limited (Icon Water), which operates as an independent corporation:–

1. The solar photovoltaic (PV) technology systems will be used to power existing site operations.
2. Five separate solar photovoltaic technology systems will be installed with a combined capacity of 2.29 MW and connected into Icon Water's onsite electrical infrastructure. No other technologies will be used in conjunction with the PV systems. Detailed designs are currently being finalised with approximately 7,000 panels required for the entire project.
3. Solar photovoltaic systems will be installed at the Cotter Dam, Mitchell Office, Stromlo Water Treatment Plant and the Lower Molonglo Water Quality Control Centre.
4. a) Installing the technology - Total project budget is \$5,569,101.
b) Annual maintenance costs to be \$72,330 per annum.

- c) The solar PV business case estimate shows once all systems have been commissioned, the first year of operation will offset grid electricity usage by approximately \$680,000. In addition, Large-scale Generation Certificates (LGCs) that will be created from the solar PV system will be sold to the market to generate additional revenue.
- 5. In the first year of operation, the solar PV systems are expected to generate 3,609 MWh which will reduce by approximately 1% per annum due to panel efficiency degradation.
- 6. Over the past 5 years, Icon Water's electricity usage has been relatively constant, averaging around 34,000 MWh per annum.

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Signature:



Date: 09/07/18

By the Acting Treasurer, Yvette Berry MLA