



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

## SELECT COMMITTEE ON ESTIMATES 2011-2012

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### QUESTION ON NOTICE

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MS LE COUTEUR MLA : To ask the Minister for Economic Development

Ref: Land and Property Services, Budget paper 4, page number 131, output class 1.1 Major project facilitation

In relation to : Government office building costings

What are the estimated costs for the exclusions over and above the building total cost as stated in the August 2010 Revised Concept Design Study report?

*Exclusions from pricing in the August 2010 report include:*

- GST;
- **Escalation beyond a completion of works in June 2014 (this could amount to tens of millions of dollars);**
- Level of uncertainty factor which may be considered by the ACT Chief Minister's Department to be necessary dependent upon wider political considerations of this project of which they are aware;
- Costs for initial studies;
- Legal costs;
- Direct Finance Management costs;
- Future volatile and abnormal changes in currency exchange rates resulting from the world financial crisis;
- Provision of a data centre;
- IT equipment (servers, pc's, printers etc)
- Voice System;
- Lead in fibre optic cabling;
- Office equipment (photocopiers, fax machines etc);
- Any temporary facilities that may be required during construction;
- Any costs associated with existing facilities (both during construction and after completion) e.g. additional leases, make good on vacating premises etc;
- Any relocation costs of personnel and personal equipment;
- High voltage cables within the site;
- Supply authority fees;
- Black water recycling;
- Any fitout (other than basic service connections) to retail areas;
- Ceilings or painting to perimeter walls and soffits of basement;

- Any security upgrade of perimeter walls and louvres;
- Building maintenance units to perimeter walls (assumes access from roof for abseiling to maintain facade);
- Carpark vehicle management system;
- Cafe, gym, theatre/large conference facility or other non standard fitout works;
- Child care facility; and
- Automated sun shades.

MR BARR MLA: The answer to the Member's questions are as follows:-

The Wilde and Woollard cost plan includes costs directly associated with the construction of the new building. The exclusions list is standard industry practice, so that clients can allow any additional project costs elsewhere in the project budget if deemed necessary.

All of the items listed have been accounted for in one way or another, whether it be whole of government IT strategies, business as usual equipment purchases, or items of tenant fit out. There are no items in the list of exclusions that will change the overall project budget of \$432million.

It must be noted that GST provisions, depreciation and cost of capital are matters for consideration by ACT Treasury and have been dealt with separately in the Budget Impact Analysis.

Escalation in the Wilde and Woollard cost plan of June 2010 includes a provision of approximately \$30m for increase costs in the works until 2014. Subsequent discussions with Wilde and Woollard would suggest that based on current forecasts of proposed developments in Canberra, it is likely that the construction market will become more competitive, the strength of the Australian dollar will reduce the cost of imported materials, and as such the allowance for escalation is still valid. In any event, the project will be put to competitive tender, and provision for escalation until project completion will be a requirement of the tender. As such, the government will have confirmation of the completion cost of the project before a contract is signed.

In so saying, the project budget does not include for the effects of broader global issues and matters that are outside the control of the ACT Government.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: 

Date: 15.6.11

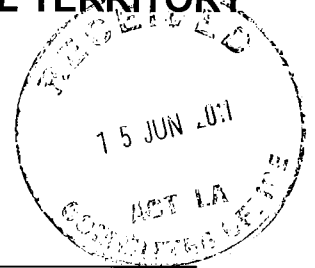
By the Minister for Economic Development, Andrew Barr MLA



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

SELECT COMMITTEE ON ESTIMATES 2011-2012

**QUESTION ON NOTICE**



MS Le COUTEUR MLA: To ask the Minister for Economic Development

Ref: Land and Property Services, Budget paper 4, page number 132, output class 1.1 Major project facilitation

In relation to : Canberra CBD upgrade

What does the \$12M for the Canberra CBD upgrade program include?

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

The following projects are currently included in the budget for the Canberra CBD upgrade program:

***Studies and reports***

1. Conservation Management Plan for Sydney and Melbourne Buildings
2. CBD Public Litter Bin Waste Audit Report
3. Braddon Commercial Area master plan
4. City Hill pedestrian access options and City Hill amenity improvements
5. Sydney and Melbourne Buildings signage policy
6. Civic Merry-go-round enclosure design competition
7. 'Link and Place' design study of City streets and public places
8. Public safety improvements in and around Veterans Park
9. Replicate the 2006 City Area Pedestrian Movement Study
10. North Building entrances off London Cct and Civic Square
11. Sydney and Melbourne Buildings colonnade lighting guidelines

***Design documentation and construction***

1. West Row verge improvements and underground services upgrade
2. Alinga Street verge improvements and underground services upgrade adjacent to Sydney Building
3. Consolidated waste handling facilities and creation of a pedestrian only zone along the eastern side of Odgers Lane
4. London Circuit verge improvements adjacent to North and South Buildings

5. London Circuit tree planting and eastern side verge improvements between Ainslie Place and Nangari Steet
6. Artworks for new City bus station toilets
7. First stage of the City Cycle Loop along Rudd and Bunda Streets between Marcus Clarke Street and East Row
8. Moore Street verge improvements between Alinga and Rudd Streets
9. Stage 1 improvements to Northbourne Avenue median including pedestrian access to City Hill
10. Latin American Plaza pedestrian and lighting improvements between Childers and Marcus Clarke Streets
11. Stage 1 improvements to City Walk

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: 

Date: 12.6.11

By the Minister for Economic Development, Andrew Barr MLA

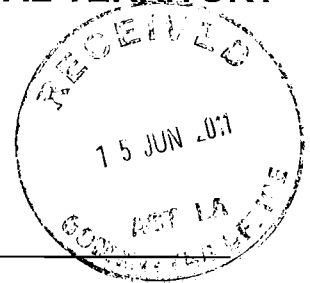
**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

SELECT COMMITTEE ON ESTIMATES 2011-2012

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**QUESTION ON NOTICE**

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MS Le COUTEUR MLA: To ask the Minister for Economic Development

Ref: Land and Property Services, Budget paper 4, page number 132, output class 1.1 Major project facilitation

In relation to : Temporary carpark - Southern loop Commonwealth Ave

1. There is \$900,000 in this budget for a temporary surface carpark on the southern loop of Commonwealth Avenue – why are we putting this carpark here?
2. Why is the Govt funding the carpark?
3. Why isn't the developer of Section 63 paying for it as off-site works?

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

1. The future development site on the southern side of Edinburgh Ave between London Cct and Vernon Ccl is one of the few areas in the city where temporary parking can be created.

Three surface car parks controlled by the Territory, namely the two sites either side of Northbourne Ave at London Cct and the ACT Government office building site on the southern side of the ACT Legislative Assembly Building, could potentially be closed for building construction in the next two to three years. This is in addition to the privately owned Section 63.

The conditions for development on existing public car parks generally require new public parking to be provided within the development. For the duration of the construction period, between the time of closing the existing carpark and commissioning the new structure, temporary parking needs to be considered.

Prior to constructing any temporary parking, a survey of existing parking utilisation will be carried out. The decision will also take into account the Government's Sustainable Transport policies. If existing capacity and additional potential for mode shift can be demonstrated, construction of temporary parking will be reconsidered.

2. The Government makes decisions about removing existing car parks for higher order uses. In making these decisions, and to maintain the orderly functioning of the city, appropriate planning needs to be in place for all transport modes.
3. The need for temporary parking in Civic is not driven entirely by the development program for Section 63. Several other car parks currently controlled by the Territory may also be closed in the next two years and for this reason, the Territory needs to be responsible for the city wide temporary parking arrangements.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: 

Date: 12.6.11

By the Minister for Economic Development, Andrew Barr MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

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## QUESTION ON NOTICE

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MS Le COUTEUR MLA: To ask the Minister for Economic Development

Ref: Land and Property Services, Budget paper 4, page number 132, output class 1.1 Major project facilitation

In relation to : City Action Plan – Stage 1

1. The funding for the Edinburgh Improvements (City Action Plan Stage 1) seems to involve putting a road from Vernon Circle to London Cct, does this mean that the development on section 63 will then be able to proceed?
2. Have all the issues with that development now been resolved? (parking, supermarket, plans, etc)
3. What are the obligations in terms of off-site works for the developer of section 63?
4. What will be the improvements in terms of sustainable transport options as a result of this upgrade?

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

1. The construction of Edinburgh Ave to Vernon Ccl has not delayed development of Section 63.
2. Yes. The Territory will however be seeking an additional Works Approval from the National Capital Authority to construct Edinburgh Avenue from Knowles Pl to Vernon Ccl.
3. The Section 63 developer is required to:
  - Construct the section Edinburgh Ave extension between London Cct and Knowles Pl.
  - Reconstruct the intersection of London Cct with Edinburgh Ave.
  - New lighting, landscaping and verge pavement along the address to London Cct between the Civic Police Station and Edinburgh Ave.
  - Relocate underground services as necessary to allow the development to proceed.

- The development is also required to provide 1,000 publicly accessible car park spaces.
4. The construction of Edinburgh Ave between Vernon Ccl and London Cct will allow northbound buses on Commonwealth Ave to enter City West down Edinburgh Ave. The project includes a major bus stop in London Cct on the southern side of the Edinburgh Ave intersection. In addition to improved bus access the road extension includes on road cycling and wide pedestrian / cycle shared paths in each verge.

The project tightens up the junction of Commonwealth Ave with Vernon Ccl. This reduces the vehicle speed environment in Vernon Ccl to 50 kph and allows a signalised pedestrian crossing to be included on the northern leg of the Vernon Ccl intersection. This creates a safe pedestrian access point to City Hill that can link to a similar crossings at the extension of Constitution Ave and at Northbourne Ave.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: 

Date: 12.6.11

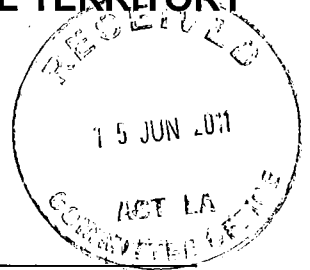
By the Minister for Economic Development, Andrew Barr MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

## QUESTION ON NOTICE



MS Le COUTEUR MLA: To ask the Minister for Economic Development

Ref: Land and Property Services, Budget paper 4, page number 132, output class 1.1 Major project facilitation

In relation to : Street lighting in the city

1. \$2M has been put forward for street lighting in the city – how much of the city will receive new lighting for this money?
2. Will all of the lights in the city be replaced?
3. Does this cover all the areas in the Civic Action Plan which are proposed for renewal?
4. I presume that these are energy efficient lights, and are part of achieving Action 13 of the Climate Change Action Plan – how many lights will this money buy? (what type of lights are they? Solar?)
5. Are there plans to do the same with other town centres, to make them safer and more efficient?
6. How does this funding relate to the funding for City Path Lighting in the TAMS budget (BP4, p.82 = \$100Kpa)

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

1. The lighting upgrade focuses on achieving lighting compliant with current standards throughout the northern segment of Civic defined by University Ave, London Cct and Akuna Street to the south, Kingsley Street in the north-west and Barry Drive / Cooyong St to the north and east.
2. No. The project will install about 150 light columns and about 200 luminaires. When this number is combined with recently upgraded lighting around Canberra Centre and the ANU Exchange, about 35% of the City area will have been upgraded to lighting compliant with current standards.
3. Lighting upgrades to relevant standards are part of all Civic public realm improvements.

4. The lighting categories stipulated for Civic conform with current Australian Standards that are aimed at assisting with crime prevention and public safety. The most energy efficient lighting technology has been adopted in order to achieve the required lighting categories. This includes the use of compact fluorescent globes. Solar technology cannot achieve the required lighting standards and is not included in the Civic lighting upgrade.
5. Lighting in other town centres is maintained in accordance with TAMS' standards. Changes in land use and intensification in pedestrian and other activity is ordinarily accompanied by a review of existing lighting. Where appropriate, lighting is upgraded, such as the enhanced lighting installed as part of the new Belconnen bus stations and the Westfield Belconnen upgrade.
6. TAMS City Path Lighting tackles high priority lighting improvements to the suburban bicycle and pedestrian path network. It does not overlap with the City Lighting Upgrade project. Advice provided by TAMS Directorate is that combined use paths on the approaches to Civic will be prioritised and upgraded using highly efficient compact fluorescent lighting.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: 

Date: 12.6.11

By the Minister for Economic Development, Andrew Barr MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

## SELECT COMMITTEE ON ESTIMATES 2011-2012

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### QUESTION ON NOTICE

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Caroline Le Couteur : To ask the Minister for Economic Development

Ref: Land and Property Services, Budget paper 4, page number 125, output class 1.1 Major project facilitation

In relation to : Building for our Ageing Community Strategy indicator

Could you please tell me why there now seems to be no indicator reflecting the “Building for our Ageing Community Strategy” – this was in the previous LAPS indicators (p.589), but has dropped off.

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

The accountability indicators for the component of the Economic Development Directorate that were transferred from the Department of Land and Property Services were improved in line with recommendations made by prior Estimates Committees to enable outcomes to be audited and compared to a more meaningful target. Despite no specific indicator the Economic Development Directorate continues delivering the Building for our Ageing Community Strategy.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: *Andrew Barr*

Date: 29.6.11

By the Minister for Economic Development, Andrew Barr MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

ANSWER TO QUESTION TAKEN ON NOTICE  
DURING PUBLIC HEARINGS

Asked by Ms Le Couteur on 18 May: Mr Barr took on notice the following question(s):

**Caroline Le Couteur** : To ask the Minister for Economic Development

Is the Economic Development Directorate looking into the small business impacts of a new supermarket policy?

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

Yes.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: *Andrew Barr*

Date: 28.6.11

By the Minister for Economic Development Andrew Barr



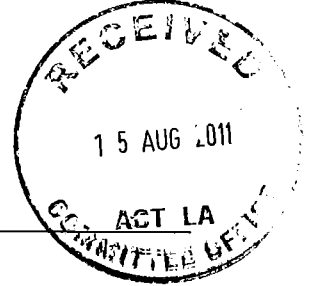
**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

SELECT COMMITTEE ON ESTIMATES 2011-2012

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**QUESTION ON NOTICE**

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Caroline Le Couteur : To ask the Chief Minister

Ref: Land and Property Services, Budget paper 4, page number 123, Land and Property Services

In relation to : Government Architect

There is additional funding for the Government Architect this year – previously the position was part time, and partially funded by the University of Canberra.

1. Has the University withdrawn its support for this arrangement?
2. What are the additional funds for?
3. What is the official role of the GA?
4. Where does he sit in the Government structure?

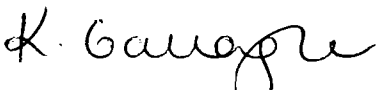
Ms Gallagher : The answer to the Member's question is as follows:—

1. The University of Canberra has not withdrawn support for this arrangement.
2. The Government Architect is engaged on a part-time basis for a period of 3 years. The University of Canberra has provided funding to cover the Government Architect's salary in 2010-2011 and 2011-2012. The ACT Government will provide administrative support to the Government Architect in 2011-12 and 2012-2013 and half the Government Architect's salary in 2012-2013.
3. The role of the government Architect is to give strategic advice to the Government on architectural and urban design issues, aimed at promoting Canberra as a city of design.



4. The function was with the Chief Minister's Department from June 2010 until 17 May 2011 when the revised Administrative Arrangements commenced. The function is now in the Environment and Sustainability Directorate and is part of Strategic Objective 5 - *Deliver Spatial Planning, Urban Design and Building Outcomes for the Territory that contribute to a Sustainable Canberra*. (Budget Paper 4 page 295).

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: 

Date: 13.8.11

By the Chief Minister, Katy Gallagher





# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

## SELECT COMMITTEE ON ESTIMATES 2011-2012

### ANSWER TO QUESTION ON NOTICE

Caroline Le Couteur : To ask the Minister for Territory and Municipal Services

Ref: LAPS, Budget paper 4, page number 123, Government accommodation and Property Services

In relation to : government properties

I note that Strategic Objective 4 for the Economic Development Directorate is to optimise triple bottom line outcomes of its accommodation portfolio.

1. Aside from the work being done on the Government office building, what work is being done on triple bottom line analysis of other government properties?
2. Has there been an environmental audit of ACT Government owned buildings?
3. Is this information/ report publicly available?

SIMON CORBELL MLA : The answer to the Member's question is as follows:—

1. The Economic Development Directorate is responsible for undertaking evaluations of properties declared surplus or potentially surplus by other Directorates. The evaluation framework includes a Triple Bottom Line approach which combines a range of economic, social and environmental factors
2. ACT Property Group in the Territory and Municipal Services Directorate, as the custodian of the Government owned office buildings, commissioned Energy Audits of these buildings in 2009/10.
3. The Government Real Estate Policy and Guidelines can be found on the Economic Development Directorate website. The reports on individual buildings have not been made public.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:

Date:

17.6.11

Minister for Territory and Municipal Services, Mr Simon Corbell MLA

#### PLEASE NOTE

- 1: Answers to questions on notice must be lodged electronically and in hard copy with the Committee Office within 5 **working days** of receipt of the question.
- 2: Where an answer provides a referral to sources of information in published documents, the answer should include the exact name of the document, the author and agency publishing the document, the specific page numbers and an electronic link to the document.



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

## SELECT COMMITTEE ON ESTIMATES 2011-2012

### ANSWER TO QUESTION ON NOTICE

Mr Brendan Smyth MLA: To ask the Minister for Police and Emergency Services,  
Mr Simon Corbell MLA

Ref: Emergency Services, Budget Paper 4, Page number 269 - Rivers RFS Shed

In relation to : Rivers RFS Shed

1. What problems exist with the design and construction of the Rivers Shed.
2. Who first identified these problems and at what stage of the design or construction stages were these problems identified.
3. Did the problems arise because of issues with the design of the Shed.
4. Did the problems arise because of action taken by the contractor during the construction of the Shed.
5. Who determined the location of this Shed and what fee was paid for this service.
6. Who designed this Shed and what fee was paid for this service.
7. Who approved the design of this Shed and what fee was paid for this service.
8. Who designed the provision of services and infrastructure for this Shed and what fee was paid for this service.
9. Who was the project manager for this Shed and what fee was paid for this service.
10. What role did the project manager have with this project.
11. Who was the site supervisor for this Shed and what fee was paid for this service.
12. What role did the site supervisor have with this project.
13. What role did Shared Services Procurement have with this project and what fees were they paid.
14. What role did WT Partnership have with this project and what fees were they paid.
15. What was the status of the WT Partnership Cost Plan for this Shed.
16. Who prepared the budget for the construction of this Shed.
17. Who approved the budget for this Shed.
18. Who provided the final approval for this project to proceed.
19. Was this project part of a bid for funding from the ACT Budget.
20. What role did the Minister have in approving this project and in approving the funding for this project.
21. Who was the contractor for this project.

#### PLEASE NOTE

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22. What process was followed in selecting the contractor for this project.
23. Did the contractor for this project comply with the specifications contained in the relevant drawings and in any other documents relating to the design of the Shed.
24. Did the contractor change the dimensions of any part of this Shed during the construction stage.
25. What project management and supervision was exercised over the contractor during the construction of this Shed.
26. What remedial action has been undertaken to rectify the problems which were identified with this Shed.
27. What was the cost of this remedial action.
28. What contingency funding was identified for this project
29. Was any of the cost of remediation paid from the contingency funding which was identified for this project; if not, why not.
30. What problems remain with this Shed and when will these problems be rectified.

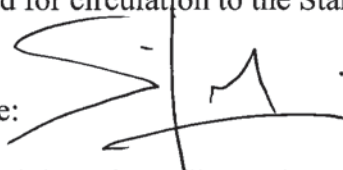
Simon Corbell : The answer to the Member's question is as follows:-

- 1-2. As is customary with most building projects, any workmanship and other issues identified on this project during construction were generally rectified as they occurred. A defect register was provided by the Project Manager to Shared Services Procurement and ESA at Practical Completion and any residual defects identified following Practical Completion are added to the register as they are identified. Defects are repaired by subcontractors as per Answer to Question 27.
- 3-4. Problems during the construction stage were identified by the Project Manager as part of their quality assurance processes and in consultation with Shared Services Procurement and ESA, not as a result of design.
5. The upgrade works undertaken at Rivers RFS Shed were delivered in the existing ESA facility. The location of the shed was determined in consultation with the architects and ESA representatives.
6. Daryl Jackson Alistair Swayn Pty Ltd were engaged by the Project Manager to complete the ESA Concept Plans. The architect was paid \$103,510 ex GST, which included approximately \$58,000 for their subconsultants. The sub-consultants included engineers and surveyors. The fee covered two designs to Preliminary Sketch Plan stage and included services required by the Project Manager for the documentation, tendering and construction stages.
7. The design was approved by a salaried ESA project manager.
8. See Answer to Question 6.
9. BOSS Constructions Pty Ltd. The fee paid for project management services was \$107,409 ex GST.
10. Project manage the design and construction of the Rivers RFS Shed, including the development of Preliminary Sketch Plans and Final Sketch Plans, application for Development Approval, preparation of tender documents, tendering and supervision of sub-contracts, establishment and management of the site, supervision of all subcontracts, obtaining the Certificate of Occupancy and Use and managing the 12 month Defects Liability Period.
11. BOSS Constructions Pty Ltd provided staff for the site supervision at a total cost of \$30,720 ex GST.

12. The role of the site supervisor was day to day site supervision including receiving goods, managing and coordinating sub-contractors, managing safety and environmental issues and liaising with ESA representatives.
13. Shared Services Procurement managed the contracts for the development and delivery of the project and were paid the agreed rate of \$52,652 ex GST.
14. WT Partnership were engaged by the Project Manager and provided cost estimates on the Preliminary Sketch Plans for a total fee of \$12,400 ex GST.
15. WT Partnership Cost Estimates were provided against the various design options, to inform the ESA Project Director of the best value for money option which delivered the agreed project outcomes.
- 16-20. ESA prepared a Budget business case for the project, which was approved by the Government as part of the 2009-10 Budget process. The Executive Director ESA Projects provided Shared Services Procurement with a request for procurement on 27 July 2009.
21. BOSS Constructions Pty Ltd.
22. The Project Manager was recommended under Shared Services Procurement's Project Management Panel Contract after consideration of the Project Manager's availability, and the proposed Project Manager's submission in terms of value for money. The recommendation was endorsed by ESA.
23. The Project Manager managed subcontractors and ensured compliance with the contract documents.
24. No.
25. Shared Services Procurement managed the Project Manager in consultation with ESA representatives, with regular site meetings, inspections and daily site supervision by the site manager and project manager.
26. BOSS Constructions, through the management of applicable subcontracts, is attending to the list of defects.
27. Defects are repaired by subcontractors at no charge to the Territory during the 12 month defect liability period.
28. \$80,841 ex GST.
29. No. See Answer to Question 27.
30. There are seven (7) minor defects remaining, none of which impinges on the operational functionality of the Shed. These will be rectified by the relevant subcontractor as instructed by the Project Manager.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:



Date:

16.6.11

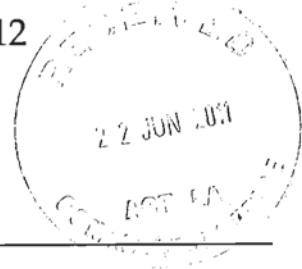
By the Minister for Police and Emergency Services, Simon Corbell MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

## ANSWER TO QUESTION ON NOTICE



Mr Brendan Smyth MLA: To ask the Minister for Police and Emergency Services,  
Mr Simon Corbell MLA

Ref: Emergency Services, Budget Paper 4, Page number 269 - Jerrabomberra RFS Shed

In relation to : Jerrabomberra RFS Shed

1. What problems exist with the design and/or construction of this Shed.
2. Who first identified these problems and at what stage of the construction project were these problems identified.
3. Did the problems arise because of issues with the design of the Shed.
4. Did the problems arise because of action taken by the contractor during the construction of the Shed.
5. Who determined the location of this Shed and what fee was paid for this service.
6. Who designed this Shed and what fee was paid for this service.
7. Who approved the design of this Shed and what fee was paid for this service.
8. Who designed the provision of services and infrastructure for this Shed and what fee was paid for this service.
9. Who was the project manager for this Shed and what fee was paid for this service.
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13. What role did Shared Services Procurement have with this project and what fees were they paid.
14. What role did WT Partnership have with this project and what fees were they paid.
15. What was the status of the WT Partnership Cost Plan for this Shed.
16. Who prepared the budget for the construction of this Shed.
17. Who approved the budget for this Shed.
18. Who provided the final approval for this project to proceed.
19. Was this project part of a bid for funding from the ACT Budget.
20. What role did the Minister have in approving this project and in approving the funding for this project.
21. Who was the contractor for this project.

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22. What process was followed in selecting the contractor for this project.
23. Did the contractor for this project comply with the specifications contained in the relevant drawings and in any other documents relating to the design of the Shed.
24. Did the contractor change the dimensions of this Shed such that each end bay in the Shed was too small.
25. What project management and supervision was exercised over the contractor during the construction of this Shed.
26. What remedial action has been undertaken to rectify the problems which were identified with this Shed.
27. What was the cost of this remedial action.
28. What contingency funding was identified for this project
29. Was any of the cost of remediation paid from the contingency funding which was identified for this project; if not, why not.
30. What problems remain with this Shed and when will these problems be rectified.

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

- 1-2. As is customary with most building projects, any workmanship and other issues identified on this project during construction were generally rectified as they occurred.

The following specific problems were identified with the design and/or construction of the shed through the Project Control Group (PCG) governance that involved ESA staff, RFS volunteers, JACS staff, Shared Services Procurement and construction Project Managers:

- A design issue required structural steel work in male locker room to provide an additional internal wall;
- some elements within the wet areas required rework before acceptance; and
- a latent condition associated with underground services at the front of the property required a redesign of the driveway and hardstand area at the front of the new vehicle bays.

These problems have been rectified.

There were initial concerns that access to trucks may be limited in the truck bays, but since inspection following the volunteers moving into the new facility on Sunday 22 May 2011 and Estimates on Monday 23 May 2011, it is clear that there is no problem with space available for trucks in the new shed.

A defect register was prepared at Practical Completion following a joint inspection of the Shed attended by Shared Services Procurement, ESA and the Project Manager. Any residual defects identified following Practical Completion are added to the register as they are identified. The Project Manager is managing the rectification of these defects by the applicable subcontractors. There have been problems with the cladding and flashings with a new contractor engaged to complete these aspects of the project. Defects are repaired by subcontractors as per Answer to Question 27.

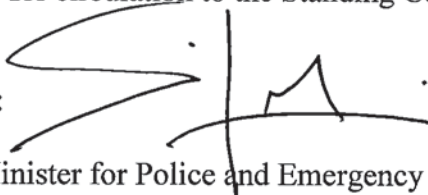
3. No.
4. Yes.
5. The upgrade works undertaken at the Jerrabomberra RFS Shed extended an existing ESA facility. The location of the extension was in consultation with ESA representatives.

6. Daryl Jackson Alistair Swayn Pty Ltd. The architect was paid \$104,043 ex GST, which included \$62,095 for sub-consultants. The fee covered 2 designs to Preliminary Sketch Plans (PSP) stage, several redesigns to Final Sketch Plans (FSP), and one to tender and construction stage. The subconsultants included engineers, a surveyor, and Development Application fee.
7. The design was approved by a salaried ESA project manager.
8. See Answer to Question 6.
9. BOSS Constructions Pty Ltd. Total fee paid for project management was \$88,372 ex GST.
10. Project manage the design and construction of the Jerrabomberra RFS Shed, including the development of Preliminary Sketch Plans and Final Sketch Plans, application for Development Approval, preparation of tender documents, tendering and supervision of sub-contracts, obtaining the Certificate of Occupancy and Use and managing the 12 month Defects Liability Period.
11. BOSS Constructions Pty Ltd provided staff for the site supervision at a total cost of \$25,600 ex GST.
12. The role of the site supervisor was day to day site supervision including receiving goods, managing and coordinating sub-contractors, managing safety and environmental issues and liaising with ESA representatives.
13. Shared Services Procurement managed the contracts for the development and delivery of the project and were paid the agreed rate of \$38,143.94.
14. WT Partnership were engaged by the Project Manager and provided cost estimates on the Preliminary Sketch Plans for a total fee of \$12,400 ex GST.
15. WT Partnership Cost Estimates were provided against the various design options, to inform the ESA Project Director of the best value for money option, which delivered the agreed project outcomes.
- 16-20. ESA prepared a Budget business case for the project, which was approved by the Government as part of the 2009-10 Budget process. The Executive Director ESA Projects provided Shared Services Procurement with a request for procurement on 27 July 2009.
21. BOSS Constructions Pty Ltd.
22. The Project Manager was recommended under Shared Services Procurement's Project Management Panel Contract after consideration of the Project Manager's availability, and the proposed Project Manager's submission in terms of value for money. The recommendation was endorsed by ESA.
23. The Project Manager managed subcontractors and ensured compliance with the contract documents.
24. No.
25. Shared Services Procurement managed the Project Manager in consultation with ESA representatives, with regular site meetings, inspections and daily site supervision by the site manager and project manager.

26. BOSS Constructions, through the management of applicable subcontracts, is attending to the list of defects.
27. Defects are repaired by subcontractors at no charge to the Territory during the 12 month defect liability period.
28. \$81,104 ex GST.
29. No. See Answer to Question 27.
30. There are project defects being addressed as part of the standard project delivery model with the ACT, none of which are impacting on the ability to maintain operational capabilities of the Shed. These will be rectified by the relevant subcontractor as instructed by the Project Manager.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:



Date:

20.6.11

By the Minister for Police and Emergency Services, Simon Corbell MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

## SELECT COMMITTEE ON ESTIMATES 2011-2012

### ANSWER TO QUESTION ON NOTICE

Ms Amanda Bresnan MLA : To ask the Minister for Police and Emergency Services,  
Mr Simon Corbell MLA

Ref: Justice and Community Safety Directorate, BP 4, p.260, EBT1: ACT Policing

In relation to: Police escorts to the Canberra Hospital for mental health related matters

- (1) Of the people escorted to the Canberra Hospital by the police for mental health related matters, what happens to people who aren't admitted to the Canberra Hospital or the Psychiatric Services Unit?
- (2) How many second call-outs are received by the police in relation to people escorted to the Canberra Hospital who aren't admitted?

Simon Corbell : The answer to the Member's questions are as follows:–

1. When a person is brought by police to The Canberra Hospital under the auspices of an Emergency Action (i.e. mental health related matters), and an examination does not result in the person's admission, that person is free to leave the hospital. Since the opening of the Mental Health Assessment Unit, police are no longer required to remain once the person has been triaged through the Emergency Department. Police are not present during the examination and are not privy to any arrangements made between the person and hospital staff.

However, where a criminal offence has been disclosed by a person of interest, that person is taken to the Watch House and charged. If during their incarceration it becomes evident that the person requires a mental health assessment, the Crisis Assessment Treatment Team (CATT) are called to attend the Watch House. If it is apparent that the person of interest has a mental illness, this is indicated on their

#### PLEASE NOTE

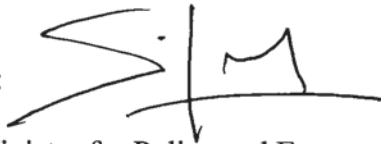
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custody file, and when transferred to ACT Corrections, they can undergo a mental health assessment prior to appearing before court. The court can then order an immediate assessment for treatment and care at a gazetted treatment facility, under *Section 309* of the *Crimes Act 1900*. Under this section, the person (now in custody) remains in the custody of ACT Corrections who take them to the Psychiatric Services Unit and leave them for treatment. Once treatment of the person in custody has been completed, police attend the facility and return the person in custody to appear before the court.

2. Case by case information relating to these situations is not collected in a format that can be easily extracted for statistical purposes.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:

A handwritten signature in black ink, appearing to be 'S. Corbell', written over a horizontal line.

Date: 15 . 6 . 11

By the Minister for Police and Emergency Services , Simon Corbell MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

## ANSWER TO QUESTION ON NOTICE



Ms Amanda Bresnan MLA: To ask the Attorney-General, Mr Simon Corbell MLA

Ref: Transport Regulation, Budget Paper 4, page 259

In relation to : Road Safety and road accidents

1. Is the new output of Transport Regulation responsible for implementing the Vision Zero program?
2. Could you update us on what the Vision Zero road safety program has involved and what is intended in this for the next financial year?
3. How is the Vision Zero programme addressing the spread of car dependent lifestyles and taking actions to counter that?
4. Last Budget there was a significant amount of funding provided for new road safety measures – specifically a road education campaign. Can you break down how that money was spent and what was achieved?
5. How was this education programme tailored to the type of accidents and specific road safety incidents that have been occurring in Canberra?
6. How is the road safety/vision zero programme integrated with the Government's broader sustainability agenda?
7. How are you incorporating one of the key tenets of vision zero – that is the idea that vehicle speed and movement should be based around the human tolerance for impacts?
8. Can you explain why the Government is trialling 40kmh zones around shopping centres but has decided not to extend this to community areas? Please explain how this is consistent with the Vision Zero philosophy.
9. What is the Government's view on developing a separate office of road safety, which could take a holistic approach to addressing road safety?

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

1. Yes. This function has been transferred from TAMS to JACS as part of the Hawke Review implementation.

### PLEASE NOTE

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2. The Vision Zero philosophy ultimately aims for no one being killed or seriously injured within the road transport system. It is based on an understanding of human capabilities, making allowance for human error and recognising that there are limits to the forces that humans can withstand in a crash.

A series of road safety roundtables, hosted by the then Chief Minister and NRMA Motoring and Services, were held in 2009 and 2010 to explore how this philosophy could be adopted in the ACT. A discussion paper on Vision Zero was also released for public consultation in 2010. Road safety stakeholders have been generally supportive of adopting Vision Zero into the new ACT Road Safety Strategy.

A draft ACT Road Safety Strategy 2011-2020 and draft ACT Road Safety Action Plan 2011-2013 have been prepared. Some final work is required to ensure full alignment with National Road Safety Strategy 2011-2020 which was launched on 20 May 2011. It is planned to launch the ACT Road Safety Strategy in the coming weeks, and then to continue to implement Action Plan items during 2011-12 and future years.

3. This work is supportive of other government activities designed to address car dependant lifestyles. A theme for the ACT Strategy is to strengthen synergies between road safety, land use planning and sustainable transport policy and planning, including *Transport for Canberra*. It is recognised that the development and implementation of travel demand management strategies can reduce per capita private vehicle travel, and hence overall crash risk.
4. The budget allocation for road safety awareness in 2010-11 was \$500,000, comprising existing base funding of \$250,000 plus additional recurrent funding of \$250,000 provided under the 2010-11 Budget (2010-11 BP3, p 74).

Of these funds, approximately \$70,600 was assigned to the production of road safety media, \$291,400 to broadcast, and \$38,000 to support activities. The remaining funding of \$100,000 was assigned to technology changes to improve the collection and analysis of ACT crash data.

A number of campaigns were implemented during 2010-11, addressing key road safety issues identified in the ACT Road Safety Strategy and Action Plan. As part of this, a process to align ACT Policing and TAMS (now JACS) awareness, media, enforcement and regulatory activities was also put into place.

Campaigns delivered during 2010-11 included:

- Speeding in 50 km/h residential streets – TV and radio advertising;
- Speeding in 40 km/h school zones – print, radio and TV advertising;
- Drink OR Drive – posters, coasters and bar mats in licensed premises, radio and bus back advertising;
- Bicycle lights and helmets – posters and print advertising;
- Driver distraction (mobile phones) – TV and radio advertising;
- Cross border holiday travel – print, radio and TV advertising and Variable Message Signs (VMS); and
- General VMS support to the ACT Policing enforcement program.

In addition, funding of \$81,025 for the production of “*Share the Road*” television advertisements was provided by the Treasury Directorate. These advertisements were developed during the year and are now broadcast ready.

5. The road safety awareness program is aligned with key road safety concerns identified in the ACT Road Safety Strategy 2007-2010, including speeding, driver distraction, drink driving and cross border holiday travel. It has also been informed by a road safety media strategy completed in 2008.

6. See response to question 3 above.
7. National and global road safety efforts are guided by the "safe system" approach, which like Vision Zero, recognises that there are limits to the forces that humans can withstand in a crash. Speed management is also seen as a critical factor in limiting the impact energies of crashes that occur. The safe system approach formed the basis for the ACT Road Safety Strategy 2007-2010, and this will continue for the ACT Road Safety Strategy 2011-2020.
8. It is well known that the chances of a pedestrian surviving a crash with a motor vehicle decrease rapidly above relatively low impact speeds. The application of 40 km/h speed limits in areas with high pedestrian activity is therefore consistent with both the Vision Zero and safe system approaches.

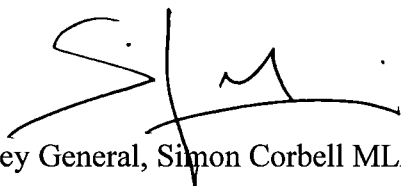
Roads ACT commissioned a study into the application of 40km/h speed limits. The study concluded that reduced speed limits would be most appropriate in Town Centres with high levels of pedestrian activities. In many cases, pedestrian activities at Group and Local Centres may be concentrated within car parks and in that context, reduced speed limits may not always apply but will have to be considered on a case by case basis.

The study also concluded that there is no strong justification for 40 km/h speed limits in the vicinity of community facilities given the low levels of pedestrian activities and their scattered nature over distance and time periods. In these cases, other signage or traffic management treatments would be more appropriate.

9. A number of road safety committees have been established under the ACT Road Safety Strategy and Action Plan, involving key government agencies and stakeholders, to facilitate a holistic approach to addressing road safety. These committees will continue with the administrative changes following the Hawke Review. The Government has no proposals to develop a separate office of road safety at this stage.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:



By the Attorney General, Simon Corbell MLA

Date:

6.6.11



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

## SELECT COMMITTEE ON ESTIMATES 2011-2012

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### ANSWER TO QUESTION ON NOTICE

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Amanda Bresnan : To ask the Minister for TAMS

Ref: Office of Transport, Budget Paper 3, p151

In relation to : New funding for Public transport and public transport indicators

1. Regarding the “Public transport Infrastructure” item at the bottom of P154 BP3 (\$500,000 capital for the next 4 years) – what does this initiative involve? Is it about upgrading certain parts of Canberra to allow for articulated buses?
2. Regarding the patronage and mode shift targets (on BP4, p112) – are these tailored to meeting the 40% greenhouse gas reduction target? What are they based upon?
3. Could you please provide a timeline for the upgrade of the Woden Bus interchange, and explain how the designated money will be spent?

MR SIMON CORBELL: The answer to the Member’s question is as follows:–

1. This project involves modification to intersections on various bus routes to accommodate the larger steer tag buses.
2. The ACT's transport mode shift targets were set in the 2004 Sustainable Transport Plan (STP) and were based on modelling of the *Public Transport Futures Feasibility Study* (2003).
3. The Woden Satellite Depot Upgrade is programmed over four (4) years 2011-2015. The designated money will be spent in 2011-12 as follows:

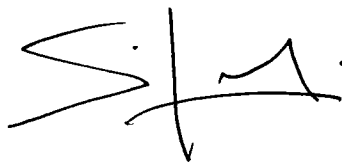
#### PLEASE NOTE

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<b>Main Items</b>	<b>2011-12</b>
Bus port repairs	50,000
Standard Design & Project Management 20%	76,518
Environmental safety and security	72,589
Workshop establishment	50,000
Insurance	34,000
My-Way data read installation	100,000
Procurement Fees	137,000
Re-establishing bus fuelling capability	100,000
Ventilation of parking shed roofing	60,000
Yard and shed Lighting	50,000
Standard Contingency	91,821
<b>Upgrade of Existing Assets</b>	
<i>Building</i>	<i>34,500</i>
<i>Electrical</i>	<i>35,430</i>
<i>Fire Protection</i>	<i>56,500</i>
<i>Grounds</i>	<i>4,500</i>
<i>Hydraulics</i>	<i>15,150</i>
<i>Mechanical</i>	<i>274,800</i>
<b>TOTAL</b>	<b>1,242,808</b>

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8-6-11 Date:

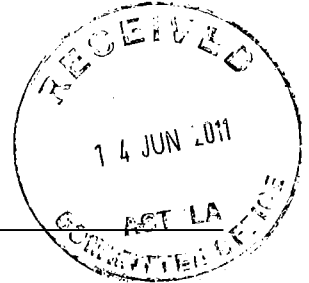
Minister for Territory and Municipal Services, Mr Simon Corbell MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

## ANSWER TO QUESTION ON NOTICE



**MS BRESNAN:** To ask the Minister for Community Services

Ref: Community Services, Budget paper 4, page number 354, output class 1.1

In relation to: Ageing and the Home and Community Care Program

- (1) What is the rhetoric and reasoning for the separation of funding of people with disabilities under and over the age of 65 with regards to the Home and Community Care Program?
- (2) Why is it that there is funding to help people acquire equipment in the ACT through TADACT if they are under 65 and have disabilities, but not if they are over 65? And are there any programs in the ACT which assist in providing people with disabilities with equipment if they are over the age of 65?

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

- (1) The Commonwealth is currently establishing a clear financial responsibility under the National Disability Agreement for people with a disability over and under the age of 65. The States and Territories will have funding responsibility for clients under the age of 65 (under the age of 50 for Aboriginal and Torres Strait Islanders) regardless of whether their care is delivered by Disability, Home and Community Care or a Residential Aged Care service.

The Commonwealth will have responsibility for people with a disability over the age of 65 and over the age of 50 for Aboriginal and Torres Strait Islanders.

This will assist in clarifying responsibilities and synergies between the States and Territories and the Commonwealth in terms of funding responsibilities. Under the National Partnership Agreement the future focus for Disability ACT will be on people under 65 years.

Clients who are 65 and over in ACT Disability services will become the financial responsibility of the Commonwealth, although their care will continue to be delivered by Disability ACT and ACT Community providers in line with the principle of ageing in place.

Financial adjustments will occur at the Treasury level and will not impact on the care delivered to the client.


2011-12 is a transition year where nominal transfers will occur between the States and Territories and the Commonwealth under the National Partnership Agreement. During this transition period further financial modelling will occur to establish the funding model before final funding adjustments are introduced under the National Disability Agreement in 2012-13.

- (2) Funding to assist individuals obtain equipment is provided by the ACT Equipment Scheme (ACTES) which is managed by the Health Directorate. Funding is available for people of all ages including those over 65 years.

TADACT is funded by Disability ACT to develop innovative solutions to a range of mobility issues including the development of equipment for people with a disability.

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Signature:



8.6.11  
Date:

By the Minister for Community Services, Joy Burch MLA



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

**SELECT COMMITTEE ON ESTIMATES 2011-2012**

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**ANSWER TO QUESTION ON NOTICE**

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**MS BRESNAN:** To ask the Minister for Community Services

Ref: Community Services, Budget paper 4, page number 354, output class 1.1

In relation to : Pathways from Hospital

- (1) How many people are currently in hospital despite being cleared for discharge and require an Independent Support Package to exit hospital?
- (2) How many of those people have been in that position for greater than 12 months?
- (3) What is being done to resolve the situation?

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

1. There is one person currently in hospital suitable for discharge.
2. This person has been in this position for more than 12 months.
3. Disability ACT is working with ACT Health and Housing ACT to develop an appropriate and sustainable option that best suits this individual's ongoing high and complex medical requirements and personal and domestic support.

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Signature:

A handwritten signature in black ink, appearing to be 'J. Burch'.

Date: 6.6.11

By the Minister for Community Services, Joy Burch MLA



GON-11/54

# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

## ANSWER TO QUESTION ON NOTICE

**MS BRESNAN:** To ask the Minister for Community Services

Ref: Community Services, Budget paper 4, page number 354, output class 1.1

In relation to : Supported Employment

- (1) Does the ACT Government take any role in assisting people with severe or profound disabilities engage in supported employment?

If yes. ....

- (2) How many people with severe or profound disability in the ACT are currently in supported employment?
- (3) What is the average amount of supported employment per person per week?
- (4) Is there a maximum number of hours an individual is employed in supported employment?
- (5) Is there currently a waiting list in the ACT for places in supported employment for adults with severe or profound disability? And if yes how many people are on that waiting list?
- (6) How long do people spend on that waiting list for supported employment? (in terms of maximum, minimum and on average)
- (7) What do people on the waiting list do during the day while they are on that waiting list of supported employment? What support does the ACT Government provide while they are waiting?

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

- (1) Responsibility for the provision of and access to supported employment services, including pre-vocational support and training resides with the Australian Government not the ACT Government. Disability ACT has a role in facilitating access to Commonwealth programs.

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Signature:

8.6.11

Date:

By the Minister for Community Services, Joy Burch MLA



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**  
**SELECT COMMITTEE ON ESTIMATES 2011-2012**

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**ANSWER TO QUESTION ON NOTICE**

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**MS BRESNAN:** To ask the Minister for Community Services

Ref: Community Services, Budget paper 4, page number 354, output class 1.1

In relation to : Audits of Disability Service Providers

- (1) How many audits of disability service providers will be undertaken in
  - a) 2011 ?
  - b) 2012 ?
  - c) 2013 ?
- (2) How often does the ACT Government plan to have audits undertaken of disability service providers?
- (3) Who conducts the audits?
- (4) Were there any adverse findings as a result of the audits conducted in 2010 and if so can details of those findings please be provided, as well as the steps taken in response?

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

- (1)
  - a. In addition to an annual self-audit process which is required currently under the Service Funding Agreement, since 2010 Disability ACT introduced a program to undertake 15 external audits of community agencies each year. Previously five funded agencies were audited each year.
  - b. Refer (a) above.
  - c. Refer (a) above.
- (2) Every year the Community Services Directorate undertakes external audits of ACT Government funded disability services. Under the enhanced audit program (refer (1) above) which commenced in 2010 a funded provider would expect to be externally audited every three years.
- (3) The audits are undertaken by independent consultants who are identified each year via a selection process.

- (4) Adverse findings were outlined in the audit of one organisation: These related to compliance with reporting requirements, operational requirements and record keeping.

The final report was provided to the organisation for formal response by 31 May 2011.

Disability ACT is working formally with the Board of Management of the organisation to address separately identified outstanding issues of concern about property management and service quality. These matters are being addressed under the Notice to Remedy clauses in the Service Funding Agreement.

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Signature:



Date: 6.6.11

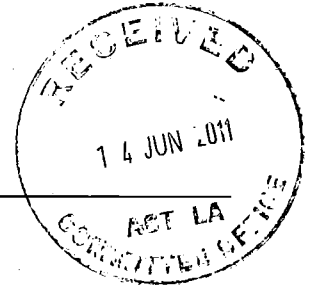
By the Minister for Community Services, Joy Burch MLA



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

**SELECT COMMITTEE ON ESTIMATES 2011-2012**

**ANSWER TO QUESTION ON NOTICE**



**MS BRESNAN:** To ask the Minister for Community Services

Ref: Community Services, Budget paper 4, page number 354, output class 1.1

In relation to : Accreditation of disability services

1. When will the purchasing framework which will include pre-qualification be operational?
2. Will services delivered by the ACT Government also have to go through that same process for quality assurance checking?
3. How will the ability of government and non government organisations to meet those standards in an ongoing manner be monitored?
4. What will the complaint mechanisms be from a consumer or their representative if a service provider does not meet or appear to be meet those standards?
5. What is the process for advising consumers and their carers about a complaint or concern if it arises about a service provider, both before and after investigations into the issue have been resolved? Can any policy or procedure documents that outline that process be provided?

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

1. The Purchasing Framework will be implemented from June 2012. The pre-qualification framework will be implemented from July 2011 on an invitation basis and mandatory from January 2013.
2. Yes.
3. The monitoring mechanisms against the assessable criteria in the prequalification frameworks are being developed in consultation with funded community service providers. Those mechanisms, once developed, will be included in the Service Funding Agreement.
4. A specific process for consumers to make complaints about an agency's compliance with the pre-qualification Framework has not yet been developed.

The Community Services Directorate has a robust formal complaints system. The Directorate's *Complaint Management and Feedback Guidelines Policy and Procedures (Feb 2009)* outlines the range of, and contact details for, external review agencies, to which a matter can be referred if the complainant is not happy with the outcome of an investigation. The Directorate's Consumer Advocacy and Quality Service can investigate complaints which relate to Disability ACT or which are complex, ongoing or require Executive decision making.

The external review agencies include the ACT Auditor General, the Human Rights Commission, the Office of the Public Advocate and the ACT Ombudsman.

Disability ACT liaises regularly with the Disability Services Commissioner and cooperates fully in the investigation of complaints regarding Disability ACT services and services provided by funded agencies.

We do not anticipate any changes to these mechanisms.

5. The Community Services Directorate *Complaint Management and Feedback Guidelines Policy and Procedures (Feb 2009)* is available on the Directorate website.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:



86.11  
Date:

By the Minister for Community Services, Joy Burch MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

## SELECT COMMITTEE ON ESTIMATES 2011-2012

### ANSWER TO QUESTION ON NOTICE

**MS BRESNAN:** To ask the Minister for Community Services

Ref: Community Services, Budget paper 4, page number 357, output class 1.1

In relation to : Centre based respite

- (1) With regard to Accountability Indicator d of Output 1.1 about centre based respite, how many beds are provided at any time?
- (2) How many respite beds are currently being taken up on a permanent basis by people with disability, because they cannot (for whatever reason) return home and have no other place to go?

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

- (1) Disability ACT has a total of 22 centre based respite beds. This is spread across the following age categories:
  - 5 to 12 years- 5 beds
  - 12 to 18 years- 5 Beds
  - 18 to 65 years - 12 beds
- (2) As of 27 May 2011 4 individuals in the 18 to 65 year range are residing full time in respite.

Of these 4 individuals, two have identified accommodation options with planned transition from respite within the next three months. Disability ACT is continuing to work to identify accommodation options for the remaining two individuals residing within the respite service.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:

Date: 6.6.11

By the Minister for Community Services, Joy Burch MLA



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

SELECT COMMITTEE ON ESTIMATES 2011-2012

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

Asked by **Mr Doszpot** on 23 May 2011: Minister Burch took on notice the following question:

Ref: Hansard Transcript 23 May 2011, page 729

In relation to:

How would individuals who are not really part of a lobby group or representative group be notified that meetings are taking place?

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

Disability ACT host a number of information specific forums and information sessions about specific policy topics or service information.

Disability ACT forums and workshops are advertised through a number of mediums, including the Disability ACT website, local mainstream and community newspapers, Disability E News (a 3-monthly electronic newsletter), and direct mail to service users through disability sector community groups.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:

A handwritten signature in black ink, appearing to be 'Joy Burch'.

Date:

14.6.11

By the Minister for Community Services, Joy Burch MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

## ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS

Asked by Ms Hunter on 23 May 2011: Minister Burch took on notice the following question:

Ref: Hansard Transcript 23 May 2011, Page 731

In relation to disability funding:

- (1) In the 2011-12 Budget for addressing demand for disability services, please provide a breakdown of funding and where that money will be going to.

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

- (1) The total funding for addressing demand in 2011/12 is \$2,160,000 *ref BP 4 page 364.*

This breaks down into approximately:

Emergency Accommodation:	\$1,370,000
After school care and holiday program:	\$410,000
School leavers requiring a sustained response:	\$380,000

The money will fund increased targets as outlined in *BP 4 on page 357*

Accommodation Support	500 places
Community support	980 people
Community access (hours)	233,000
Respite – in home (hours)	50,000

Note: The increase in the target for additional emergency accommodation places in 2011- 12 reflects the transfer of responsibility for younger people with a disability in residential aged care facilities to the ACT under the Commonwealth's Health Reforms;

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Signature:

Date:

14.6.11

By the Minister for Community Services, Ms Burch MLA

QTON-11/28



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

SELECT COMMITTEE ON ESTIMATES 2011-2012

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

Asked by **Mr Doszpot** on 23 May 2011: Minister Burch took the following question on notice:

Ref: Hansard Transcript 23 May 2011, Page 739

In relation to:

The increase in support hours of community access of 29,000 from 204,000 to 233,000 at (c) on page 357 BP4. Please provide a breakdown of the three days into hours for young people with a disability who are leaving school – a group of around 20 clients who have approximately three days of support.

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

The number of hours comprises of 18 hours of support in a group setting. Allocations are flexible to also cater for individual needs.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:

A handwritten signature in black ink, appearing to be "Joy Burch".

Date:

14.6.11

By the Minister for Community Services, Joy Burch MLA



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

**SELECT COMMITTEE ON ESTIMATES 2011-2012**

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

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Asked by **Mr Smyth** on 23 May 2011: Minister Burch took the following questions on notice:

Ref: Hansard Transcript 23 May 2011, Page 741- 742

In relation to:

- (1) Did Disability ACT make adequate provision for school leavers in the 2010-11 budget?
- (2) What is the split of the 29,000 hours of new community access in 2011-12?
- (3) What assessment have you done on the effectiveness of the delivery of these hours?
- (4) What is the unmet need for school leavers and is there adequate provision for it into the future?

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

- (1) Under the Commonwealth Disability Assistance Package, Disability ACT were provided with a \$0.350m budget for school leavers in the 2010-11 financial year.
- (2) The split of 29,000 hours of new community access in 2011-12 is approximately:
  - 9,000 hours for the after school care program valued at \$410,000 (these amounts will be dependent upon the outcome of the current scoping study);
  - 16,000 hours for school leavers valued at \$380,000 in 2011-12;
  - a further 16,000 hours valued at \$400,000 for 2012-13; and
  - 3,600 hours for allocation to families needing extra support.
- (3) Each year families who access the school-leaver program are reviewed by Disability ACT to ascertain the program outcomes using a variety of assessment tools including Personal Outcome Measures for individuals and their families.

- (4) Demand for services by school leavers equates to an average of 20 students each year who require an ongoing service response. The new funding for disability services in 2011-12 of \$10.3m over 4 years provides adequate funding for school leaver demand until 2013.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:



14.6.11  
Date:

By the Minister for Community Services, Joy Burch, MLA



QToN 11/30

# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

## ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS

Asked by **Mr Doszpot** on 23 May 2011: Ms Ford took on notice the following question:

Ref: Hansard Transcript 23 May 2011, PAGE 754

**MR DOSZPOT:**

In relation to : Satisfaction survey – what are the figures/breakdown of the last three years.

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

Client satisfaction results for Disability Services are published in two reports, formerly the Disability, Housing and Community Services' Annual Reports and the Reports on Government Services.

Source	Annual Reports (Output Class 1.1 relates specifically to Disability ACT funded services only)			ROGS Report on Government Services (Output Class 1.1 and 1.2. Includes Therapy Services and all disability services provided in the ACT.)		
	Overall Proportion Satisfied	Target	Response Rate	Accommodation Support	Respite	Community Support Users
2009-2010	63%	75%	38%	74%	68%	89.5%
2008-2009	77%	75%	60%	76%	82%	87%
2006-2007 <i>Drawn from 2008/09 Annual Report</i>	86%	Not indicated in AR	25%	90.2%	84.8%	89.7%

Disability ACT makes the best use of available resources but recognises that not all expectations and requests for services will be met. Disability ACT funds services and individuals in a way intended to best meet the needs of a person with a disability on a prioritised basis, within the resources available and within eligibility criteria defined by

funding agreements with the ACT Government and Australian Government. In a demand environment where resource allocation decisions are based on eligibility and complexity of need, people will be dissatisfied if they are not assessed as requiring the level of resources that they apply for.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:



Date:

By the Minister for Community Services, Ms Burch, MLA

21.6.11



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY  
SELECT COMMITTEE ON ESTIMATES 2011-2012

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

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**Mr Smyth** asked on 23 May 2011: Minister Burch took the following question on notice:

Ref: Hansard Transcript 23 May 2011, Page 765-767

In relation to disability services:

- (1) Please provide reconciliation of Commonwealth base funding and how much is additional ACT Government funding and where it appears in the Budget Papers.

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

- (1) The budgeted Government Payment for Outputs for Disability and Therapy Services of \$96.097m for 2011-12 referred to on page 376 of Budget Paper 4 includes Commonwealth base funding of \$18.2m.

The increase from \$85.701m for 2010-11 to \$96.097m in 2011-12 for Disability and Therapy Services, referred to on page 376 of Budget Paper 4 comprises \$5.960m (57%) of Commonwealth funding and \$4.436m (43%) of ACT Government funding.

The \$5.960 million increase in Commonwealth funding comprises the following components:

- **\$3.179m** related to the Commonwealth transfer of those clients aged less than 65 in Residential aged care (*Reference: BP4, page 364, Table: Change in appropriation*).
- **\$0.281m** in Increased Commonwealth funding associated with the increased special purpose funding provided to deliver the national reform agenda under the National Disability Agreement (*Reference: BP4, page 364, Table: Change in appropriation*)
- **\$2.5m** increase in the base of the NDA National Partnership Payment, (*Reference: BP3, page 257, Table 7.2.3*)

The \$4.436 million increase in ACT Funding comprises the following components:  
(Reference: BP4, page 364, Table: Change in appropriation)

- \$2.16m to address growth demand for disability services;
- \$0.632m for a Therapy Assistant's in Schools Pilot Project
- \$0.196m children and young people equipment services operating costs; and
- approximately \$1.47m in indexation, wage growth and rollovers; net of saving requirements for this output class.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:



14.6.11  
Date:

By the Minister for Community Services, Joy Burch, MLA

QTON-11/32



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

SELECT COMMITTEE ON ESTIMATES 2011-2012

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

Asked by **Ms Hunter** on 23 May 2011: Minister Burch took the following question on notice:

Ref: Hansard Transcript 23 May 201, Pages 770-1

In relation to:

Please provide a breakdown of waiting lists for children and young people under 18 for Therapy ACT services.

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

A table showing the average waiting times per week for children under 18 years for Therapy services is attached. The age groups in the table are: Early Childhood (under 7 years); and School Age (7 – 18 years).

Priority 1 clients are allocated immediately and not placed on a waiting list.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:

A handwritten signature in black ink, appearing to be 'Joy Burch'.

Date:  
04.6.11

By the Minister for Community Services, Joy Burch MLA

**THERAPY ACT WAITLIST SUMMARY - AVERAGE WEEKS ON WAITLIST - DISCIPLINE - PRIORITY**  
**01/07/2010 - APRIL 2011**

<b>KEY:</b>	<b>Not/ W/o</b>	<b>Average Wait time per discipline over 10 month period from 01/07/2010</b>	
	<b>Priority</b>	<b>Priority ratings on presenting needs</b>	
	<b>Aged/ Need</b>		
	<b>Testus</b>	<b>0-6 YEARS</b>	<b>Early Childhood South - Early Childhood North</b>
		<b>7-18 YEARS</b>	<b>School Aged South - South Aged North</b>

**PHYSIOTHERAPY**

	PRIORITY/WAIT			
	P1	P2	P3	P4
EARLY CHILDHOOD	0	3.5	2.5	0
SCHOOL AGED	0	0	7	17
<b>AVERAGE WAIT TIME</b>	<b>0</b>	<b>1.75</b>	<b>4.75</b>	<b>8.5</b>

**OCCUPATIONAL THERAPY**

	PRIORITY/WAIT			
	P1	P2	P3	P4
EARLY CHILDHOOD	0	23	37	42
SCHOOL AGED	0	9	49	44
<b>AVERAGE WAIT TIME</b>	<b>0</b>	<b>16</b>	<b>43</b>	<b>43</b>

**SPEECH**

	PRIORITY/WAIT			
	P1	P2	P3	P4
EARLY CHILDHOOD	0	20	23.5	24.5
SCHOOL AGED	0	17	19.5	10
<b>AVERAGE WAIT TIME</b>	<b>0</b>	<b>18.5</b>	<b>21.5</b>	<b>17.25</b>

**SOCIAL WORK**

	PRIORITY/WAIT			
	P1	P2	P3	P4
EARLY CHILDHOOD	0	17	12	0
SCHOOL AGED	0	4	2	6
<b>AVERAGE WAIT TIME</b>	<b>0</b>	<b>10.5</b>	<b>7</b>	<b>3</b>

**PSYCHOLOGY**

	PRIORITY/WAIT			
	P1	P2	P3	P4
EARLY CHILDHOOD	0	0	11	1
SCHOOL AGED	0	10	17.5	21
<b>TOTAL</b>	<b>0</b>	<b>5</b>	<b>28.5</b>	<b>22</b>

**MULTI DISCIPLINARY ASSESSMENT**

	PRIORITY/WAIT			
	P1	P2	P3	P4
EARLY CHILDHOOD	0	7	16	12
SCHOOL AGED	0	18	18	15
<b>TOTAL</b>	<b>0</b>	<b>25.5</b>	<b>34</b>	<b>27</b>

**AUTISM ASSESSMENT WAITLIST AS AT END APRIL 2011**

PRIORITY/WAIT	NUMBER	WEEKS WAITING
<5 YEARS	12	12
5 - 15 YEARS	8	8
<b>TOTAL</b>	<b>20</b>	<b>20</b>



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

SELECT COMMITTEE ON ESTIMATES 2011-2012

**QUESTION ON NOTICE**



Ms Hunter : To ask the Minister for Education and Training

[Ref: Portfolio area, Budget paper 4 2011-12 Priorities, page 315, output class]

In relation to: Closing the learning achievement gap between Aboriginal and Torres Strait Islander students and other students.

Aboriginal and Torres Strait Islander Education Matters: Strategic Plan 2010-2013:  
KPI Established Supplementary tutoring for students from year 5 to 12.

Can you please outline what has been put in place?

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

The Education and Training Directorate has allocated funds to high schools and colleges to allow the delivery of subject specific academic support to Aboriginal and Torres Strait Islander students. Casual teachers and university students work with the students during school hours.

Support will also be provided to targeted primary schools in term 2 2011, to deliver similar supplementary tutoring.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: *Andrew Barr*

Date: 6.6.11

By the Minister for Education and Training, Andrew Barr MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

## ANSWER TO QUESTION ON NOTICE



MR DOSZPOT : To ask the Minister for Education and Training

Ref: Education and Training Directorate, Budget Paper 3, page 104

In relation to : Career Paths for Teachers and School Leaders Budget Measure

1. What programs and initiatives will this funding be allocated to?  
Please provide this split by program and by year from 2011-12 to 2014-15.
2. What educational reform priorities are to be implemented through this measure?
3. What is encompassed under 'enhanced career path activities'?
4. What additional skills or experience, to enhance careers will be awarded under this program?
5. How many teachers and school leaders are to benefit from this program per year?
  - a) What is the split between teacher and school leaders for the years 2011-12 to 2014-15?
  - b) What is the breakdown of cost allocated to each teacher and school leader per year?
6. What is the selection criteria to be considered for this program?
7. Can you please detail how this initiative was costed?  
Please include all assumptions, data and the source of that data.

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

1. The 2011-12 Budget measure Career Paths for Teachers and School Leaders allocates \$11.8m over four years to support bargaining on reforms to enhance career paths for teachers and school leaders. The specific programs or initiatives under this measure will be determined through the bargaining process.
2. Reform of the classroom teacher structure implements the 2008 election commitment *Ensuring the best teachers in our classroom*. The reform is in line with the Government's school education reform policy, as I outlined in my Statement to the Legislative

Assembly *Better Pay, Better Careers for Teachers*, on 26 October 2010, including paying our best teachers salaries in excess of \$100 000.

The reform fulfils ACT commitments under the Improving Teacher Quality National Partnership, including:

- a) Cross Sectoral Reform 8A - new classroom teacher structure
- b) Reward Reform 1 - improved pay dispersion to reward quality teaching.

- 3. Currently, classroom teachers progress through an incremental pay scale, typically reaching the top level after seven years. Opportunities for further career advancement through promotion to school leader positions take them progressively out of the classroom. The Budget initiative supports the creation of new career opportunities for our best classroom teachers through promotion to leadership positions focussed on classroom teaching and mentoring programs. The details will be determined through the bargaining process.
- 4. The details will be determined through the bargaining process.
- 5. The details will be determined through the bargaining process.
- 6. The details will be determined through the bargaining process.
- 7. The costing was done as part of the normal Budget process. To provide detailed costing assumptions may compromise bargaining discussions currently underway.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: 

Date: 17.6.11

By the Minister for Education and Training, Andrew Barr MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

## SELECT COMMITTEE ON ESTIMATES 2011-2012

### ANSWER TO QUESTION ON NOTICE



MR DOSZPOT : To ask the Minister of Education and Training

Ref: Education and Training Directorate, Budget Paper 3, page 326

In relation to : Efficiency Dividend

1. Given the Department's inability to meet the efficiency dividend from the 2010-11 Budget, what strategy is in place to meet this efficiency dividend and the 2011-12 Budget efficiency dividend?
2. Can you please provide an update of efficiency initiatives that are currently being implemented or have been identified to meet these savings?
3. What guarantee can the Government give that these efficiency savings will be met, and they will not continue to accumulate over the forward estimates?

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

1. The Directorate achieved its efficiency dividend target in 2010-11 of \$4.0m through a general reduction in administrative expenses, information communication technology and staff savings due to a restructure of priorities.

The 2010-11 Budget required the Directorate to achieve a one per cent efficiency dividend (\$4.0m) in 2011-12. Of the \$4.0m, \$0.4m was achieved as a result of the flow on impact of the 2010-11 savings implementation plan. The remaining \$3.6m was reinstated to the Government Payment for Output (refer p.326 of Budget Paper 4) in the 2011-12 ACT budget and the forward estimates.

2. Refer to Question 1.
3. Not applicable.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: *Andrew Barr*

Date: 20.6.11

By the Minister for Education and Training, Andrew Barr MLA



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

SELECT COMMITTEE ON ESTIMATES 2011-2012

**ANSWER TO QUESTION ON NOTICE**

MR DOSZPOT : To ask the Minister for Education and Training

Ref: Education and Training Directorate, Budget Paper 4, pages 319 – 320, Output Class 1

In relation to : Relief teachers

1. What is the total amount of relief teachers (casual teachers) that are currently registered in the ACT?
2. How many of these relief teachers teach in:
  - a) Primary education
  - b) High school and Secondary education
3. What is the average demand of relief teachers per week?
  - a) What is the average demand of primary education teachers in a week?
  - b) What is the average demand of high school and secondary school teachers in a week?
  - c) What is the average demand per week per grade?
4. What percentage of this overall demand for relief teachers is met?
  - a) What percentage of demand for primary education relief staff is met?
  - b) What percentage of demand for high school and secondary school relief teachers is met?
5. Is there currently a shortage in relief teachers in the ACT?
  - a) If yes, what action is the Government taking on this?

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

1. 1136 relief teachers are currently registered in the ACT
2. a) not all casual teachers nominate a school sector preference and some identify more than one sector. Of those staff who indicate a preference:
  - 159 identify preschool
  - 274 identify early childhood (kindergarten –year 2)
  - 321 identify primary (year 3-6)
- b) not all casual teachers nominate a school sector preference and some identify more than one sector. Of those staff who indicate a preference:
  - 51 identify middle school (year 6-8)
  - 73 identify secondary (year 7-12).

3. a) Data collected is based on total approved bookings for a specified period. Bookings are not necessarily for the full day:  
634 primary education bookings in the week 16 – 20 May 2011  
210 middle school bookings in the week 16 – 20 May 2011 (of which some would be in the secondary sector)
- b) Data collected is based on total approved bookings for a specified period. Bookings are not necessarily for the full day:  
320 secondary bookings in the week 16 – 20 May 2011
- c) Data is not collected in this format.
4. Principals employ a range of in-school strategies for managing teacher absence. Data is not collected in a format that provides the percentage of overall demand met through relief teacher employment.
5. Although the number of registered casual teachers is above the normal demand, schools sometimes report difficulty in meeting demand. Action taken to increase the number of registered casual teachers includes:
  - advertisement seeking casual and temporary relief staff to register
  - continuous casual registration recruitment
  - facilitating access to casual teaching opportunities for those on extended parenting leave
  - identifying midyear graduates from the annual bulk classroom teacher recruitment round and offering casual employment opportunities in the remaining period of the current academic year
  - the Semester internship program for University of Canberra education students assists in increasing the available relief pool for the second half of each year.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: 

Date: 11.6.11

By the Minister for Education and Training, Andrew Barr MLA



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

SELECT COMMITTEE ON ESTIMATES 2011-2012

**ANSWER TO QUESTION ON NOTICE**



MR DOSZPOT : To ask the Minister for Education and Training

Ref: Portfolio area, Education and Training Directorate, Budget Paper 4, pages 319 to 320, Output Class 1

In relation to : Teacher numbers

1. How many teachers are currently employed in teaching positions in the ACT in:
  - a) Primary Schools
  - b) High Schools
  - c) Secondary Colleges
2. How many teaching positions are vacant in:
  - a) Primary Schools
  - b) High Schools
  - c) Secondary Colleges
3. For Primary Education, how many teachers are there currently teaching in each grade?
4. For Primary Education, how many teaching vacancies are there in each grade?
5. At what rate does the Government expect teacher numbers to grow for each year until 2014-15?
6. Are there any initiatives in place to encourage former teachers to remain in the ACT teaching pool, whether it be permanently or casually?

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

1. a) 1737  
b) 1067  
c) 395.
2. As at 24 May 2011, none other than casual day-to-day vacancies.
3. Data is not collected centrally on the number of teachers teaching each primary year level.
4. See response to question 2.

5. It is estimated that teacher numbers will grow by approximately 30 in each year, based on projected increases in student numbers.
6. Former teachers are encouraged to register for casual employment when they cease permanent or long term temporary work with the Directorate. In targeted areas of need, recently retired staff are contacted to canvass interest and availability to return to the workforce in some capacity. This may be in part time teaching roles or to offer mentoring assistance to less experienced teachers.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: 

Date: 5.6.2011

By the Minister for Education and Training, Andrew Barr MLA



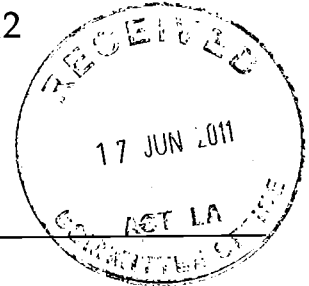
# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

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## ANSWER TO QUESTION ON NOTICE

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MR DOSZPOT : To ask the Minister for Education and Training

Ref: Education and Training Directorate, Budget paper no 3, page number 76

In relation to : Teachers Pay

1. Given that the enterprise bargaining process for teachers pay and conditions has not yet been completed, what percentage increase in pay has been factored into the forward estimates of wages and salaries for teachers?
2. Can you please provide the total cost (and expected cost) of wages and salaries paid to teachers from 2009-10 to the 2014-15?
  - a) In addition to the percentage increase in pay, what other factors and assumptions contribute to the projected costs? i.e. growth in the number of teachers.

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

1. Page 76 of Budget Paper 3 identifies the consumer price index provided to the Education and Training Directorate for indexation. This indexation is provided to support wage and salary increases. In addition to this, the 2011-12 Budget Initiative Career Paths for Teachers and School Leaders provided \$11.8m over four years to support bargaining for enhanced career paths for teachers and school leaders. As the enterprise bargaining agreement is still being negotiated details of the final position are not available.
2. The table below provides details of wages and salaries paid to or estimated to be paid to teachers from 2009-10 to 2014-15. In addition to pay increases, the other main factor that contributes to increased costs is new initiatives. Enrolment increases are also funded each year based on actual census data.

	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
	Actual	Est Outcome	Budget	Budget	Budget	Budget
	\$m	\$m	\$m	\$m	\$m	\$m
Wages and Salaries - Teaching Staff	245.2	253.2	271.1	278.7	284.3	292.3

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: 

Date: '17.6.11

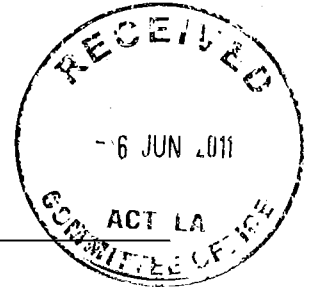
By the Minister for Education and Training, Andrew Barr MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

## QUESTION ON NOTICE



STEVE DOSZPOT MLA : To ask the Minister for Education and Training

Ref: Education & Training ,Budget paper 4, page 315- Output Class 1: Public Education

In relation to : Teacher training scholarships to address areas of need

1. How many teacher training scholarships are offered each year?
2. What is the process for application
3. What are the selection criteria?
4. What funds have been allocated for each of the last five years for this initiative?
5. Have all funds been acquitted in each of those years?
6. In what program is it included ?

### RESPONSE:

**1. How many teacher training scholarships are offered each year.**

There are two cohorts a year offering up to 20 Targeted Scholarships per cohort. 25 Individual Scholarships are also offered each year.

**2. What is the process for applications**

There are two scholarship rounds a year. Scholarships are advertised via:

- the internal *All Staff Alerts* and *All Principal Alerts*
- the Directorate Intranet
- regular emails to principals at application time
- emails to Professional Learning Coordinators in all schools
- flyers and posters sent to all schools.

Information sessions are also provided for each round (after school) at the Hedley Beare Centre for Teaching and Learning.

Applicants complete an application form. Applications include a supporting statement addressing the criteria, the applicant's resume and their Principal/Manager's endorsement.

Selection is determined by the Teacher Scholarship Committee panel. Successful and unsuccessful applicants are notified.

**3. What are the selection criteria?**

Applicants provide a supporting statement addressing the following:

- How does your proposed study support the priorities of the Directorate Strategic Plan 2010 – 2013?
- How do your proposed studies relate to your work in the Directorate?
- How will the completion of these units improve student learning outcomes?

**4. What funds have been allocated for each of the last five years for this initiative?**

\$250 000 has been allocated for each of the past five years as per the *ACT Department of Education and Training Teaching Staff Union Collective Agreement 2009-2011*.

**5. Have all funds been acquitted in each of those years?**

Funds are committed each year based on the number of successful applications. Activity funded through these scholarships often extends beyond the year in which the funds were awarded. Any remaining funds are rolled over to the following year's activity.

**6. In what program is it included?**

The Teacher Scholarship program is a Learning and Teaching Branch project.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: 

Date: 3.4.2011

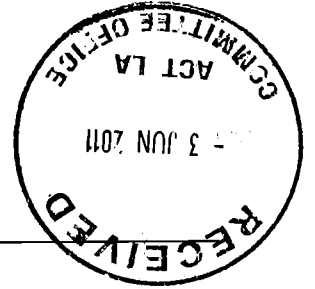
By the Minister for Education and Training, Andrew Barr



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

## QUESTION ON NOTICE



MR DOZSPOT : To ask the Minister for Education and Training

Ref: Education and Training Directorate, Budget paper 3, page 180

In relation to : supply of artificial grass

A total of \$2.3m over the next 2 years is to be allocated to install artificial grass play areas at four public schools.

1. What schools?
2. At whose request is the artificial grass being supplied?
3. What is the purpose of these installations?
4. What is the artificial grass replacing?
5. Has any school lost suitable playing fields as a result of this decision?
6. How long is the artificial surface expected to last?
7. At what rate is it being depreciated ?
8. What funds are included for the longer term maintenance of these areas?

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

1. Artificial grass surfaces will be installed at Calwell, Torrens and Weetangera Primary Schools and Telopea Park School.
2. This initiative meets a Government election commitment.
3. This initiative will improve the quality of outdoor play/active areas around the school providing a safe surface to use for the whole year. It will also reduce water consumption and degradation of grass areas.
4. The surfaces will replace existing school sports fields and play areas that have deteriorated through normal 'wear and tear' and the impact of the recent drought period.
5. No. The artificial grass surfaces will replace playing fields. The specific locations and area size for the new surfaces to be replaced will be agreed with each of the schools.
6. The expected life for the surfaces is 15 years.

7. For accounting purposes, the artificial grass surfaces will be depreciated over 10 years, which is 10 percent per annum.
8. The ongoing maintenance for the artificial grass surfaces will be met by the Education and Training Directorates' Repairs and Maintenance program. An additional \$30 000 has been allocated to the Directorate specifically for the artificial grass surfaces from the 2012-13 year.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: *Andrew Barr*

Date: 1.6.2011

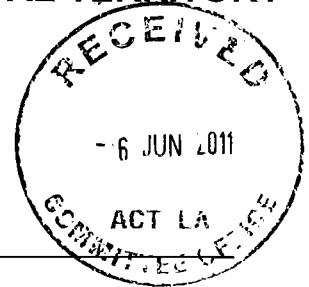
By the Minister for Education and Training, Andrew Barr MLA



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

SELECT COMMITTEE ON ESTIMATES 2011-2012

**QUESTION ON NOTICE**



MR DOSZPOT : To ask the Minister for Education and Training

Ref: Education & Training ,Budget paper 4, page 319

In relation to : Employment of business managers in primary schools

1. Under what program will this initiative be funded?  
Please provide detail and allocation by year from 2011-12 to 2014-2015
2. How many business managers, expressed in FTE, are currently employed in ACT primary schools?
3. What is the job description and selection criteria for appointment to these positions?
4. To whom do these business managers report?

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

1. Refer BP3. Page 104.
2. The current FTE is 53.8. Each primary school is entitled to a business manager.
3. Business Managers in Primary schools are employed at either the ASO4 (Business Manager 1) or ASO5 (Business Manager 2) level, depending on the size and complexity of the school.

Business Managers are responsible for the administrative and financial support in a school including:

- managing the school's administrative and financial systems
- assisting in the preparation of budgets and financial statements
- providing administrative support to the principal and school board
- supervising administrative staff and where required, providing training
- communicating and liaising with staff, students, parents, community members, contractors and other persons providing services to the school

4. Business managers report to the principal.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: 

Date: 5.6.2011

By the Minister for Education and Training, Andrew Barr MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

## QUESTION ON NOTICE



STEVE DOSZPOT MLA : To ask the Minister for Education and Training  
Re: Education & Training ,Budget paper 4, page 315

In relation to : Bullying in schools

1. Given the number of reported cases of violent attacks and/or assaults by ACT schools is currently 76 for the current financial year, what strategies does the Department have in place for schools to manage this?
2. What response has the Department to the ACT Council of Parent & Citizens Association's call for the appointment of a designated Bullying Response and Investigation Officer for ACT schools?

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

1. The Education and Training Directorate's records indicate that between 1 July 2010 and 10 May 2011 there were 27 critical incidents in ACT public schools.

A critical incident is defined as an incident, or series of incidents, which result in:

- • significant disruption to the school's normal procedures
- • a school being locked down, evacuated or requiring closure
- • police notification and involvement in the school
- • significant threat to the safety of students and/or staff.

Data provided by ACT Policing on incidents of violence occurring at ACT schools is only specific to the location the incidents are alleged to have occurred. This figure does not disaggregate those incidents that occurred during school hours and directly associated with the school against incidents outside those circumstances.

The Directorate's *Providing Safe Schools* policies outline procedures for the management and reporting of critical incidents in schools. Critical incident guidelines have been circulated to every public school.

All ACT public schools and colleges promote and seek to provide a supportive learning environment in which all students can expect to feel safe.

The *Providing Safe Schools P-12* policy provides guidance and direction to schools in promoting safe school environments, as well as referencing the following specific Directorate policies:

- *Countering Bullying, Harassment and Violence in ACT Public Schools*
- *Countering Sexual Harassment in ACT Public Schools*
- *Countering Racism in ACT Public Schools*
- *Suspension, Exclusion and Transfers in ACT Public Schools*

The *Providing Safe Schools P-12* policy establishes a framework that puts in place practices and programs designed to ensure students are protected from bullying, harassment and violence. The framework includes the provision of advice, support and professional learning opportunities to schools to facilitate a safe and supportive school environment.

Student wellbeing is paramount and schools have in place supports that students can access. These include:

- a pastoral care coordinator and a youth support worker appointed to each high school
- school counsellors available in all public schools
- each public school has two contact officers for students to counter sexual harassment
- each public school has a contact officer to counter racism.

These school based positions are further supported by a number of Central Office staff who can assist schools and families to positively address matters of student welfare.

2. The Education and Training Directorate does not support the proposal that one position be identified to respond and investigate reports of bullying. The Directorate has programs staffed by experienced professionals to support schools in addressing bullying and harassment. These include school counsellors, pastoral care workers, youth workers and behaviour support partners. These officers work with other school staff to address issues of bullying that arise. The Directorate also has a Safe Schools Officer whose role is to coordinate professional development to build schools' capacity to address bullying. The Directorate believes that a multi-faceted approach is more effective than a single officer.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: 

Date: 5.6.2011

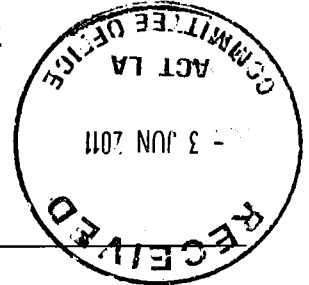
By the Minister for Education and Training, Andrew Barr MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

## ANSWER TO QUESTION ON NOTICE



MR DOSZPOT : To ask the Minister for Education and Training

Ref: Education and Training Directorate, BP4, PAGE 319, Output 1.2: Public High School Education

In relation to : Public high school student numbers

In respect of the 2011 school year:

1. What are the school capacity numbers for each level of schooling (ie Years 7-10 and 7-12 where applicable) for each public high school within the ACT education system
2. Enrolment numbers for each year for each public high school within the ACT High School system
3. Which public high schools within the ACT education system are fully subscribed and for what years are they fully subscribed?
4. What schools have a waiting list for enrolment?
5. For what years are there waiting lists?
6. How many students, by year (ie Years 7-10 and 7-12 where applicable) are on a waiting list for each school that has a waiting list?

### PLEASE NOTE

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- 2: Where an answer provides a referral to sources of information in published documents, the answer should include the exact name of the document, the author and agency publishing the document, the specific page numbers and an electronic link to the document.

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

1. The following table identifies the current years 7-10 high school capacities at ACT public schools.

School Name	Capacity
Alfred Deakin	836
Amaroo	855
Belconnen	912
Calwell	779
Campbell	836
Canberra	931
Caroline Chisholm	836
Gold Creek School	931
Kaleen	760
Kingsford Smith	625
Harrison	800*
Lanyon	836
Lyneham	1026
Melba-Copland Secondary School	741
Melrose	969
Namadgi School	310
Stromlo	988
Telopea Park	703
Wanniassa	836

\* Harrison School's capacity for years 7 to 10 is designed to be 800. The high school buildings will be complete before the end of 2012.

The year by year breakup of the capacity number is determined at an individual school level.

2. The answer to the Member's question is available in the ACT School Census, February 2011 available on line at:  
[http://www.det.act.gov.au/publications\\_and\\_policies/publications\\_a-z/census](http://www.det.act.gov.au/publications_and_policies/publications_a-z/census)

3. Lyneham High School and Telopea Park School.
4. The Directorate does not establish waiting lists for schools. There are instances however where students can and have been turned away due to a range of factors including current enrolments in a particular year level.
5. Refer to the answer to question 4.
6. Refer to the answer to question 4.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: 

Date: 2.6.11

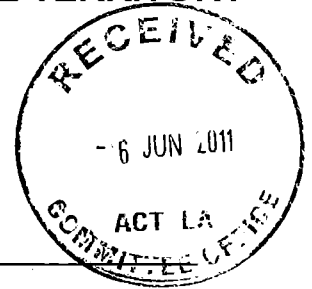
By the Minister for Education and Training, Andrew Barr MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

## ANSWER TO QUESTION ON NOTICE



Mr Doszpot : To ask the Minister for Education and Training

Ref: Education and Training, Budget paper 3, page 180

In relation to : The ACT Teacher Quality Institute

1. What is the anticipated annual operating budget for the TQI?
2. Which department will be responsible for administration and registration policy setting for the TQ Institute?
3. Will all school sectors be covered?
4. How many teachers have been accredited to date under the TQI Act?
5. What percentage of eligible teachers are accredited?
6. When will the balance be registered ?
7. How many teachers currently registered are
  - a) from the public schools sector?
  - b) from the non-government schools sector?
  - c) first year teachers?
8. What is the process for registration?
9. Has there been any delays in the registration process?
10. How do teachers transferring from interstate register in the ACT?
11. How do principals or others access information about their staff?

### PLEASE NOTE

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

1. The 2010-11 Budget provided \$3.941 million over four years for the establishment of the ACT Teacher Quality Institute (TQI).

	<b>2010-11 \$'000</b>	<b>2011-12 \$'000</b>	<b>2012-13 \$'000</b>	<b>2013-14 \$'000</b>
Recurrent Expenditure (excl depreciation)	1,964	1,025	470	482

2. The *ACT Teacher Quality Institute Act 2010* established the TQI as an independent statutory authority with a governing board. The governance of the authority is regulated by the *Financial Management Act 1996*. The TQI reports to the Minister through the Education and Training Directorate.
3. Yes.
4. Approximately 1650 applications have been submitted to 26 May 2011 and are currently being assessed.
5. Approximately 22% of eligible teachers have submitted applications.
6. It is anticipated that the online application process and verification for teachers currently employed, including the majority of those on leave, will be completed by the end of Term 3 2011.
7.
  - a) 700\*
  - b) 813\*
  - c) 137\*

\*These figures represent completed online applications which are now being assessed.

8. All ACT schools have been scheduled to undertake the online application process during term 2, 2011. TQI staff made initial contact with all schools advising the date for the process at their school and providing information about the online process. Schools are provided with an information package outlining the online process in the week before the process begins. Following an assessment of the application and verification of employment and qualification data with schools or employers teachers will be issued with a Card and a Certificate of Registration or Permit to Teach.
9. There were two short periods where the online form was not available due to server problems. TQI worked closely with ICT service providers, affected schools and employers to resolve the issue. These have now been resolved.
10. Teachers registering from other states go through the same online application process. Their interstate accreditation or registration is then verified by TQI with the respective agency.

11. Principals, employers of teachers and others can apply to the Teacher Quality Institute for information regarding teacher registration. Such approaches are then assessed by the TQI in accordance with the legislation.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: 

Date: 5.6.2011

By the Minister for Education and Training, Minister Barr MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

ANSWER TO QUESTION TAKEN ON NOTICE  
DURING PUBLIC HEARINGS

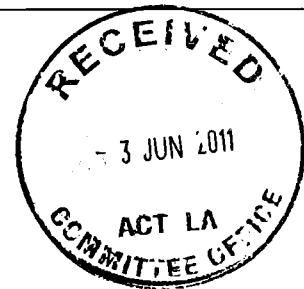
Asked by Mr Smyth MLA on Wednesday 18 May 2011:

Ms Gallagher MLA took on notice the following question(s):

Hansard Transcript – Wednesday 18 May 2011 – Page 125

In relation to :

*Capital Program*



**THE CHAIR:** All right. And so we are talking about one sixth of that being rolled over. What is the reason for such a large percentage as a rollover?

**Dr Brown:** We can go through it project by project if that is how you would like to approach it?

**THE CHAIR:** Is there a document that perhaps you could - rather than use up the time, is there a document that can be detailed of details of each of the rollovers?

**Ms GALLAGHER MLA :** The answer to the Member's question is as follows:-

Attached is a table that provides the information requested.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature: *K. Gallagher*

Date: 2.6.11

By the Minister for Health, Katy Gallagher MLA

Capital Works Rollover Comments

E11-190

Project Name	Amendments 2010-11 \$'000	Amendments 2011-12 \$'000	Amendments 2012-13 \$'000	Reason for Rollover
Augmentation of Patient and Research Facilities	-284	284		<ul style="list-style-type: none"> <li>A contractor has been appointed and works are due to start this month to build new Ophthalmology Clinics at TCH.</li> </ul>
Workplace Improvements	-100	100		<ul style="list-style-type: none"> <li>Delays associated with the relocation of staff and services have impacted on the program of works.</li> </ul>
TCH Discharge Lounge Relocation	-50	50		<ul style="list-style-type: none"> <li>The initial site proposed for this service was no longer suitable and a new site needed to be identified. The preliminary sketch plans for the new site have been completed.</li> </ul>
Digital Mammography	-2,458	2,458		<ul style="list-style-type: none"> <li>Delay due to need to retender for Digital Information System capable of delivering the specifications required.</li> </ul>
Clinical Services Redevelopment- Phase 2	-14,600	14,600		<ul style="list-style-type: none"> <li>A delay in the appointment of a Principal Consultant until September 2010 for the Campus Infrastructure Works.</li> </ul>
NHR - Emergency Department Capital	-4,819	4,819		<ul style="list-style-type: none"> <li>Funding was only made available late in the 2009-10 year and the ACT has been required to submit implementation plans for approval by the Commonwealth Government prior to any expenditure of funds.</li> </ul>
NHR - Elective Surgery Capital	-4,385	4,385		<ul style="list-style-type: none"> <li>Funding was only made available late in the 2009-10 year and the ACT has been required to submit implementation plans for approval by the Commonwealth Government prior to any expenditure of funds.</li> </ul>
Mental Health Young Persons Unit				<ul style="list-style-type: none"> <li>Necessity of an additional site selection study to identify the current site location.</li> </ul>
ACT Health Skills Development Centre	-589	589		<ul style="list-style-type: none"> <li>Awaiting advice by the Government Solicitors Office (GSO) on implications of the Child Protection Act.</li> <li>Completion of the Model of Care subject to GSO advice.</li> </ul>
Adult Mental Health Inpatient Facility	-1,000	1,000		<ul style="list-style-type: none"> <li>Delay to procurement of Principal Consultant.</li> <li>Detailed analysis of site selection.</li> </ul>
Refurbishment of Health Centre	-5,931	5,931		<ul style="list-style-type: none"> <li>Re-tendering trade packages for façade, roofing and glazing packages.</li> <li>An unusual amount of wet days also added to delays.</li> </ul>
	-2,900	2,900		<ul style="list-style-type: none"> <li>Delay to procurement of Principal Consultant.</li> <li>PSP consultation and development for Tuggeranong stage 1 has been longer than programmed.</li> </ul>

Project Name	Amendments 2010-11 \$'000	Amendments 2011-12 \$'000	Amendments 2012-13 \$'000	Reason for Rollover
Provision for Phase 1 CSR	-3,000	3,000		<ul style="list-style-type: none"> <li>This budget was primarily to fund whole of campus works, together with a proportion set aside for unforeseen and emergent issues. During the course of the year the budget is allocated to the emergent issues so that a commitment to fund a particular item is given in order to progress a project. Whilst the commitment is needed upfront the cash flow from the resultant works is not expected to be fully invoiced in 2010-11.</li> <li>The delay is due to a delay in finalising information technology systems.</li> </ul>
Linear Accelerator Procurement and Replacement	-375	375		<ul style="list-style-type: none"> <li>Funds rolled over for completion of multistorey carpark.</li> </ul>
New Multistorey Carpark at TCH	-2,280	2,280		<ul style="list-style-type: none"> <li>Delays in procuring suitable resources for some of the planned projects. e.g. Calvary Patient Administration System (PAS), Electronic medication management system(EMM) and Wireless and Medical Grade Network upgrade.</li> </ul>
An E-Healthy Future	-11,000	10,000	1,000	<ul style="list-style-type: none"> <li>Delay to procurement of Principal Consultant.</li> </ul>
Tuggeranong Health Centre - Stage 2		-4,900	4,900	<ul style="list-style-type: none"> <li>PSP consultation and development has been longer than programmed.</li> </ul>
Integrated Cancer Centre - Phase 1				<ul style="list-style-type: none"> <li>ACT has been required to submit implementation plans for approval by the Commonwealth Government.</li> <li>Delay to procurement of Principal Consultant and then forming and commencing user group consultation.</li> <li>PSP consultation and Development have been longer than programmed.</li> </ul>
	-2,000	-6,000	8,000	<ul style="list-style-type: none"> <li>Factors for this include design complexity due to constrained site and integration of CRCC with existing Rad Onc and the future masterplan, inclusion of Stage 2 (ACT Government funding) to achieve an integrated facility.</li> </ul>
Enhanced Community Health Centre - Belconnen	-4,969	-9,090	14,059	<ul style="list-style-type: none"> <li>PSP consultation and development have been longer than programmed.</li> </ul>
Women and Children's Hospital				<ul style="list-style-type: none"> <li>Extended construction period for the Early Works Contractor moving underground diesel tanks and oxygen lines delayed the commencement of earthworks and piling.</li> </ul>
	-7,333	-6,513	13,846	<ul style="list-style-type: none"> <li>An unusual amount of wet days also added to delays.</li> </ul>



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

## SELECT COMMITTEE ON ESTIMATES 2011-2012

### ANSWER TO QUESTION ON NOTICE

Mr Shane Rattenbury MLA : To ask the Attorney General, Mr Simon Corbell MLA

Justice and Community Safety, Output 3.1 – Courts and Tribunals, Budget paper 4, page 265.

In relation to : the ACT Magistrates Court building:

1. When was the ACT Magistrates Court built and how much did it cost?
2. When was the building sold and how much was it sold for?
3. Is the Government aware of what was funded out of the monies raised from the sale?
4. How much rent does the Government currently pay to occupy the building and how much has this increased since it was sold?
5. What proportion of the total costs referred to in indicator (d) on page 265 does rent currently make up?

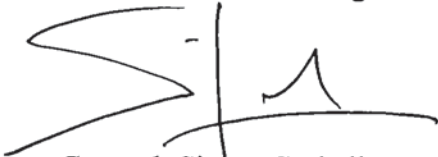
Simon Corbell : The answer to the Member's question is as follows:–

1. The 1995-96 ACT Attorney General's Department Annual Report states that the construction of the Magistrates Court Building commenced in December 1994 and formal handover occurred on 3 July 1996. The ACT Magistrate Court building value as reported at 30 June 1996 was \$20.765 million.
2. The ACT Magistrates Court building was not sold. A lease/leaseback arrangement was undertaken with full ownership reverting to the Territory at the end of the lease. The decision to enter into this arrangement was made in 1996. The ACT was paid a lump sum (\$28.287 million) under the arrangement.
3. Proceeds from this arrangement are not hypothecated for any specific purpose, but paid into consolidated revenue.
4. Rent, as such, is not paid. In exchange for the lump sum payment the ACT Government repays principal and interest until the funding is fully repaid. The tenant pays an amount equivalent to these repayments. The amount paid by the Government in 2010-11 was \$4,383,141.40. Indexation on the payments has been at the rate of 3.25% for the life of the funding arrangement.

5. Indicator 'd' relates to criminal costs. Criminal costs includes both Magistrates and Supreme Court and a proportional amount of Departmental Overhead Costs. The proportion of total criminal costs that relates to the Magistrates Court Rent allocation is 31% of the total cost allocation for criminal. No rent is paid for the Supreme Court.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:

A handwritten signature in black ink, consisting of a large, stylized 'S' followed by a vertical line and a horizontal line that crosses it, ending in a small flourish.

By the Attorney General, Simon Corbell MLA

Date:

15.6.11



## LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

### SELECT COMMITTEE ON ESTIMATES 2011-2012

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#### ANSWER TO QUESTION ON NOTICE

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Mr Shane Rattenbury MLA: To ask the Attorney General, Mr Simon Corbell MLA

Justice and Community Safety, Budget paper 4, page 249, bottom dot point

In relation to : the 2011/12 priority to “investigate options to better utilise ACT sentencing information to facilitate a greater consistency in criminal court sentencing” and the work the Directorate will be doing to look at information technology systems to assist in this:

1. Will the work undertaken by the Directorate look at information technology that can back capture past sentences handed down in the ACT as well as recording sentences from 2011 and beyond?
2. Does the reference to “greater consistency in criminal court sentencing” refer to:
  - (i) consistency between individual sentences for certain crime types, eg all sentences for culpable driving over a given time;
  - (ii) consistency with community standards; or
  - (iii) consistency with interstate sentences?
3. What mechanisms are available to the Attorney General to facilitate the consistency that is aimed for?
4. If consistency with community standards is included in the objective, what mechanisms does the Government use to gauge community standards?

Simon Corbell : The answer to the Member’s question is as follows:–

1. All feasible options will be explored and considered in the light of their cost-benefit to the ACT.

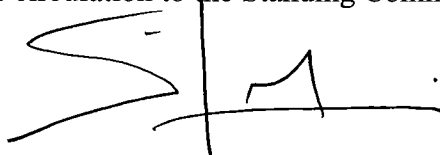
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2. The term 'consistency' is defined generally and refers to consistency between individual sentences for certain crime types in the ACT.
3. Sentencing statistics can be used as a tool to inform the exercise of sentencing discretion. The collection and presentation of sentencing statistics provides the community with information about sentencing decisions and can provide useful guidance in formulating government policy.
4. Not applicable

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:

A handwritten signature in black ink, appearing to be 'S. Corbell', written over a horizontal line.

Date:

2.6.11

By the Attorney General, Simon Corbell MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

## ANSWER TO QUESTION ON NOTICE



Mr Alistair Coe MLA : To ask the Attorney General, Mr Simon Corbell MLA

Ref: Territory and Municipal Services Directorate, Budget Paper 4, page 10, Output Class 1.2

In relation to : Car Registration

1. What is the number of cars in 2009-10 and 2010-11 that are registered:
  - a) Quarterly
  - b) Half Yearly
2. What is the penalty rate attached to these options?
3. How much revenue was collected in 2009-10 and 2010-11 from these penalties?  
Please provide these revenue figure as a whole and broken down into cars registered quarterly and cars registered half yearly.

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

1. In 2009-10 there were:
  - a) 135,724 vehicles registered quarterly
  - b) 49,700 vehicles registered half yearly

In 2010-11 (as at 1 June 2011) there were:

- a) 133,965 vehicles registered quarterly
- b) 47,343 vehicles registered half yearly

Registrations include original and renewal transactions.

2. A surcharge of \$25 is payable upon the registration of a vehicle for a period of less than 12 months. This surcharge is reduced to \$10 for eligible Centrelink and Department of

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Veterans' Affairs concession holders. The surcharge is not payable on vehicles registered to diplomats.

3. Revenue collected from this fee was:

The 2009-10 total was **\$4,549,410**

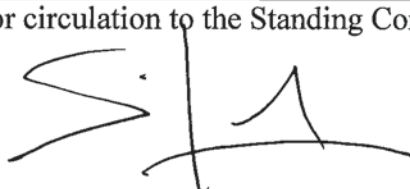
- a) \$3,327,015 for quarterly registrations in 2009-10
- b) \$1,222,395 for half yearly registrations in 2009-10

The 2010-11 total (as at 1 June 2011) is **\$4,497, 591**

- a) \$3,319,811 for quarterly registrations in 2010-11 (as at 1 June 2011)
- b) \$1,177,780 for half yearly registrations in 2010-11 (as at 1 June 2011)

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:

A handwritten signature in black ink, appearing to be 'S. Corbell', written over a vertical line that separates the signature area from the date area.

Date:

17.6.11

By the Attorney General, Mr Simon Corbell MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

## SELECT COMMITTEE ON ESTIMATES 2011-2012

### ANSWER TO QUESTION ON NOTICE

BRENDAN SMYTH: To ask the Minister for Territory and Municipal Services:

Reference: Territory and Municipal Services, BP4, 84

1. What is the status of the project to duplicate Gungahlin Drive.
2. When will this project be completed.
3. What is the current budget for this project.
4. Is this project proceeding on budget.
5. Why were the components of the project to duplicate Gungahlin Drive undertaken as separate contracts.
6. Are all the bridges for this project complete.
7. If not, when will they be completed.
8. Were all the bridges, which have been completed, finished within budget.
9. What additional costs – if any – were incurred by the Territory following the collapse of the bridge over the Barton Highway.
10. What is the reason for the 'Revised Funding Profile' into 2011-12 of \$20.309 million of funding for this project.

SIMON CORBELL MLA : The answer to the Member's question is as follows:–

1. All construction contracts have been awarded and the project is on program and within budget.
2. December 2011.
3. \$85.5 million.
4. Yes.
5. It was considered better from a project management perspective to separate the bridge works from the roadworks to deliver the overall project on time and within budget. Specialist contractors were awarded separate construction contracts and the outcome to date supports this approach.
6. Yes.
7. Not applicable.
8. Yes.

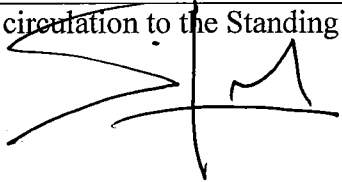
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- 9. No additional costs were borne by the Territory following the collapse of the bridge over the Barton Highway.
- 10. This revised profile reflects funds being brought forward from 2011-12 to 2010-11 to enable bridge works and roadworks to progress earlier than originally planned.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:



8.6.11 Date:

Minister for Territory and Municipal Services, Mr Simon Corbell MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

## SELECT COMMITTEE ON ESTIMATES 2011-2012

### ANSWER TO QUESTION ON NOTICE

BRENDAN SMYTH: To ask the Minister for Territory and Municipal Services:

Reference: Territory and Municipal Services, BP4, 84

1. What is the status of the project to redesign the Glenloch Interchange.
2. When will this project be completed.
3. Why has it taken so long to complete this project.
4. What is the current budget for this project.
5. Is this project proceeding on budget.
6. When will all the speed limits which are currently in place be removed.
7. When will all the lanes be opened for normal traffic movement.

SIMON CORBELL MLA : The answer to the Member's question is as follows:-

1. The project is on time and within budget.
2. August 2011.
3. The progress of the project has been impacted by wet weather. It is on time when due allowance is taken for legitimate extensions of time due to wet weather.
4. \$26 million.
5. Yes.
6. August 2011.
7. August 2011.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:

Date:

6-6-11

Minister for Territory and Municipal Services, Mr Simon Corbell MLA

#### PLEASE NOTE

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# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

## SELECT COMMITTEE ON ESTIMATES 2011-2012

### ANSWER TO QUESTION ON NOTICE

BRENDAN SMYTH: To ask the Minister for Territory and Municipal Services:

Reference: Territory and Municipal Services, BP4, 77

1. Why does Flemington Road still only have a single lane in each direction between Well Station Road and Northbourne Avenue.
2. What capacity is there to redesign Flemington Road as a two lane road in each direction, in the same way that Athllon Drive was redesigned to remove the dedicated bus lanes.
3. What plans are there to redesign Flemington Road to provide two lanes in each direction between Well Station Road and Northbourne Avenue.
4. Why do parts of Flemington Road have a speed limit of 70 kph when other equivalent roads in the Canberra urban area have an 80 kph limit.

SIMON CORBELL MLA : The answer to the Member's question is as follows:-

1. Parts of Flemington Road between Well Station Drive and Northbourne Avenue are one lane in each direction in order to make provision for a dedicated bus lane from Sandford Street to Northbourne Avenue.
2. It would be possible to redesign Flemington Road as a two lane road in each direction.
3. The Government is keeping this matter under review.

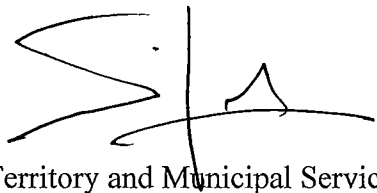
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4. Flemington Road has a speed limit of 70km/h due to the number of service roads that have been constructed adjacent to it and the need to safely manage vehicles exiting or accessing the main road at several points along the route.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:

A handwritten signature in black ink, appearing to be 'S. Corbell', written over a horizontal line.

Date:

17.6.11

Minister for Territory and Municipal Services, Mr Simon Corbell MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

## SELECT COMMITTEE ON ESTIMATES 2011-2012

### ANSWER TO QUESTION ON NOTICE

Mrs Vicki Dunne MLA : To ask the Attorney-General, Mr Simon Corbell MLA

Ref: Justice & Community Safety Directorate, BP4, p 249

In relation to : General Issues – Appropriations – Rollovers and Adjustments

- (1) In relation to government payments for outputs (p 267):
  - (a) In relation to Section 16B Rollovers for government payments for outputs, why was more than \$2 million rolled over from 2009-10 into 2010-11, including almost \$1 million on sign-on bonuses?
  - (b) In relation to appropriation adjustments, why have there been so many and such large adjustments?
- (2) In relation capital injections (p 269)
  - (a) In relation to Section 16B Rollovers for capital injections, why was almost \$10 million rolled over from 2009-10 to 2010-11?
  - (b) In relation to adjustments, why have there been so many and such large adjustments?

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

- (1) In relation to government payments for outputs (p 267):
  - a) The rollovers of government payments for outputs from 2009-10 to 2010-11 (BP4, p 267) largely relate to costs recognised and accrued in 2009-10 but paid in 2010-11. These funds were not drawn in 2009-10.
  - b) In relation to appropriation adjustments (BP4, p 267-268) these are made up of:

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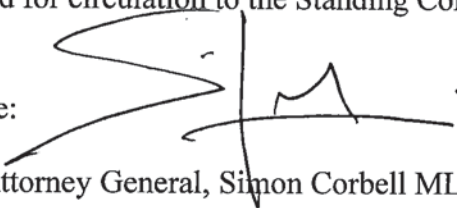
- i) 2011-12 Budget initiatives;
- ii) Wage agreements and technical adjustments including the transfers of functions under the administrative arrangements; partially offset by
- iii) Saving initiatives.

(2) In relation capital injections (p 269):

- a) The reasons for the FMA Section 16B capital project rollovers from 2009-10 to 2010-11 (BP4, p 269) largely relate to:
  - i) change in cashflow requirement since the development of 2010-11 Budget due to re-scheduling of works; and
  - ii) work undertaken in 2009-10 but delays in receiving invoices.
- b) In relation to capital injection adjustments, the 2011-12 Budget Policy and Technical Adjustments (BP4, p 269-270) include 2011-12 Budget initiatives and also timing variations in capital projects.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:



By the Attorney General, Simon Corbell MLA

Date:

15.6.11



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

## ANSWER TO QUESTION ON NOTICE



Mrs Vicki Dunne MLA : To ask the Attorney General, Mr Simon Corbell MLA

Ref: Justice & Community Safety Directorate, BP 4, p249

In relation to : General Issues – Priorities

- (1) In relation to access to justice measures and case management system, what jurisdictional and bail reforms are proposed, what consultative processes will be followed in their development and when will the reforms be presented to the Assembly?
- (2) In relation to the implementation of the Aboriginal and Torres Strait Islander Justice Agreement and engagement of an indigenous guidance partner:
  - (a) What progress has been made to implement the activities under the Agreement?
  - (b) What activities remain to be implemented, what is the timeframe and what is the budget?
  - (c) When will the Indigenous Guidance Partner be appointed, what will be the appointee's roles and activities and what is the budget associated with the appointment and on-going activities of the Partner?
- (3) In relation to the new liquor laws:
  - (a) What feedback has the government already received from stakeholders in relation to the operation of the new laws, including bureaucratic processes, licence fees, regulatory enforcement, and the regulatory burden placed on business by the new laws?
  - (b) What advice has the Liquor Advisory Council given and what recommendations has it made to government about the operation of the new laws, including bureaucratic processes, licence fees, regulatory enforcement, and the regulatory burden placed on business by the new laws?
  - (c) What has been the government's response to stakeholder and Council feedback and recommendations?

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- (d) What consultative processes will be followed in reviewing the liquor licence fees?
- (4) In relation to increasing government legal resourcing:
  - (a) Apart from the 49 additional staff budgeted for 2011-12, what is the nature of the resources to be increased?
  - (b) What is the staffing profile for the 49 additional staff, how many will be service delivery staff and how many will be administrative staff?
  - (c) What assessment was made as to the need for these additional resources, who made that assessment and what recommendations were made?
  - (d) Over what period will the additional resourcing be implemented and what is the budget?
- (5) In relation to the *Human Rights Act*:
  - (a) What consultative process will be followed in considering the outcomes of the 5 years review of the Human Rights Act and when will proposed reforms be presented to the Assembly?
  - (b) What is the budget for this project?

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

- (1) The 2010 Access to Justice Initiative paper represented the start of consultation with key legal stakeholders and the community. Government has since taken a number of additional steps towards efficiency by bail reforms, rebalancing the criminal and civil jurisdictions within our tiered court system, establishing a third jury court room and establishing a single court registry.

The Government has taken action to reduce the number of matters coming before the Supreme Court. Reforms contained in the Bail Amendment Bill 2010, passed in February 2011, will ensure the issue of bail is explored fully in the Magistrates Court while ensuring that appropriate access to the Supreme Court is retained. These reforms commenced on 16 May 2011. The Courts Legislation Amendment Bill 2010 was passed on 3 May 2011 with non-Government amendments. This legislation will result in some matters which are more appropriately heard in the Magistrates Court rather than the Supreme Court, being allocated to the Magistrates Court. The Courts Bill commences on a date fixed by me. While default commencement is 11 November 2011, it is expected that most provisions will be commenced shortly. My Directorate is currently consulting with stakeholders on an appropriate commencement date and I expect to be briefed on the matter shortly.

The Government intends to consult on a paper examining additional proposals for the streamlining of Courts administration and jurisdiction in the ACT. The paper will look at what the Government has delivered this term to improve access to justice in the ACT, as well as options for further action to be taken in the future.

In addition, a Discussion Paper on case management is being developed for release. The paper reviews case management systems in other jurisdictions, and focuses primarily on measures that would improve criminal case resolution timelines in the ACT Supreme Court. It does not propose jurisdictional changes, but rather considers options for streamlining procedures within the Supreme Court. The Discussion Paper is

in the final stages of being settled by Justice Penfold and JACS Director-General, Ms Kathy Leigh, who are conducting the review. It is expected to be released shortly.

E11-198

(2) In relation to the implementation of the Aboriginal and Torres Strait Islander Justice Agreement and engagement of an indigenous guidance partner:

- (a) In December 2010 an Aboriginal and Torres Strait Islander Justice Agreement Implementation Group was established. The group is made up of both government and non government members and meets regularly to oversee the Agreement's strategic goals, drive the key commitments and work to realise the Agreement's operational goals, including the action items.

A major part of the Agreement is the commitment from government and non-government agencies to continue, develop or support initiatives that will work to reduce the over-representation of Aboriginal and Torres Strait Islander people in the criminal justice system. This commitment is evidenced in 105 actions items that underpin the Agreement. These action items represent the government's readiness to stretch to deliver sustainable benefits for the local Aboriginal and Torres Strait Islander community.

- (b) Delivery of these action items involves long term strategic planning in the areas of improving service delivery and policy relating to Aboriginal and Torres Strait Islander people.

The Agreement provides for a public report card on the performance measures to be provided to the Assembly after 2 years of the Agreement. This report card will provide comprehensive details on the progress of the Agreement. Additionally, the Agreement provides for the performance measures to be reported on by agencies in their annual reports as an additional way of monitoring the Agreement's progress.

Implementation of the Agreement is occurring progressively using existing resources and by re-designing existing programs to be effective in better meeting the needs of Aboriginal and Torres Strait Islander people in the ACT. Further, the government has provided \$0.457m in the 2011-12 budget for a Guidance Partner to assist Aboriginal and Torres Strait Islander participants in restorative justice and to remunerate Circle Sentencing Court panel members. These initiatives are linked to the Agreement's aims of improving Aboriginal and Torres Strait Islander community safety and reducing the over-representation of Aboriginal and Torres Strait Islander victims and offenders in the ACT criminal justice system.

- (c) It is anticipated that recruitment to this position will be completed in late July 2011.

The primary role and activities of the Indigenous Guidance Partner will include the provision of outreach assessments, and the support and guidance through the preparation, conference and agreement phases of a restorative justice process. The position will also provide assistance with transport to and from appointments and transport and support in relation to community based placements undertaken by Aboriginal and Torres Strait Islander youth.

The budget associated with the position includes the salary for an ASO6 – (\$0.607m over four years) and the leasing costs of a small vehicle – (\$0.040m over four years).

(3) In relation to the new liquor laws:

- (a) The Government invited public submissions from the liquor industry and the community to the Liquor Fees Review by 27 May 2011. The Directorate has received 21 submissions to the Review. Once the Directorate has considered the content of the submissions received, I expect to be briefed on issues raised in

submissions over the coming weeks. As part of the broad consultative process, I also received feedback at a recent round table meeting I held with key industry stakeholders to give them an opportunity to have their say. There were a variety of views on how the fees should be structured. Industry expressed some concern about the need to ensure sufficient time for employees to undertake their Responsible Service of Alcohol training and some concern about the implementation of the new anti-smoking laws as they impact on liquor licencees. As this issue is outside the terms of reference for the review, I indicated that it is a matter which could be considered as part of the two year review of the new liquor laws.

- (b) The Liquor Advisory Board has met once and were consulted on the terms of reference of the review. It discussed the operation of the new laws and the fees. The Board has not made a formal submission. Board Members have been encouraged to make submissions to the Liquor Fee Review based on the industry sector they represent. Another Board meeting is likely to be held in July 2011.
- (c) The Government welcomes feedback from the industry, and in particular, the Liquor Advisory Board on the impact the new liquor fees have had on the market participation rate of licensees.

The Government wants the Liquor Advisory Board to be closely involved in the Review. I have already met with the Board and my Directorate wrote to them inviting them to add any other issues to the terms of reference set down by the Legislative Assembly, which they would like the Review to consider. I accepted the Board's recommendation that the Review also include an analysis of the current fee structure for liquor permits. I will be reporting back to the Board on submissions received and providing feedback on issues raised in the submissions.

- (d) The Government has adopted a broad consultative process for the Review of Liquor Fees, with a strong emphasis on getting feedback from the public, all licensees and key industry stakeholders.

The Review has received 21 submissions to date from the public, liquor stakeholders and the Greens. These are now on the JACS Directorate's website at [www.justice.act.gov.au](http://www.justice.act.gov.au).

The submissions raise a range of issues and suggestions around the level of fees, what risk factors should apply, licensing categories and the \$100,000 threshold for liquor purchases for sale.

The next step in the Review will be consideration of options arising after analysis of the submissions and data.

I anticipate holding a further round table meeting with key industry stakeholders, including the Liquor Advisory Board, in July to share with them preliminary findings from the Review and to discuss with them issues raised by the liquor data and submissions. Options will also be discussed.

The Intergovernmental Liquor Information Collection Committee is meeting to feed data held on liquor in agencies into the review.

The Government will listen to industry and take their concerns into account as part of the Fees Review.

- (4) In relation to increasing government legal resourcing (Legislation and Policy Branch):
  - (a) The Legislation and Policy Branch will gain 2 \* Legal 1 policy officers in 2011-12 reducing to 1.25 \* Legal 1 policy officers in 2012-13 for completion of National Occupational licensing Scheme (NOLS) legislation and jurisdiction specific amendments, as well as monitoring of implementation, providing policy

input and necessary legislative changes following on from completion of the legislation.

The Restorative Justice Unit requires a small amount of capital works to be undertaken to provide adequate office space to accommodate the new Indigenous Guidance Partner position. The amount received to undertake this work is \$0.055m. The Unit also received funding for a vehicle that will be used primarily by the Indigenous Guidance Partner. The amount received is \$0.040m to lease a vehicle for four years.

The Galambany Circle Court received \$0.035m for two distinct purposes. The first is to appropriately remunerate panel members to conduct assessments and to sit on circle court sentencing hearings – budget \$0.030m. The second is for the provision of an accredited training package conducted annually for new Panel members – budget \$0.005m.

The cost of the capital works to be undertaken within the Restorative Justice Unit will be \$0.055m and is not recurrent.

- (b) The Legislation and Policy Branch will get 2 x Legal 1 policy officers in 2011-12 reducing to 1.25 x Legal 1 policy officers in 2012-13 for the NOLS project.

The Indigenous Guidance Partner position will be at the ASO6 level and will perform both service delivery and administrative tasks.

- (c) The Legislation and Policy Branch made the assessment for these additional resources for the NOLS project.
- (d) The additional resources for the Legislation and Policy Branch are for a period of 2 years, ending in July 2013 for the NOLS project.

The funding for the Indigenous Guidance Partner is ongoing.

Funding of \$0.040m was provided to lease a vehicle over the next four years and is not recurrent after this time.

The remuneration for the Galambany Circle Court Panel members is budgeted at \$0.030m and is recurrent. The amount received for Panel member training is \$0.005m and is recurrent.

In relation to increasing government legal resourcing (Government Solicitor's Office):

- (a)-(d) In relation to the priority on "increasing government legal resourcing" on p250, Budget Paper 4, this relates to the 2011-12 Budget Initiative "Government Solicitor Additional Resourcing". As outlined on p98, Budget Paper 3:

Six additional lawyers and an associated administrative support will be provided to address increased demand in government legal services, particularly in relation to human rights; employment and industrial relations; administrative law; and child protection issues.

The requirement for additional resourcing for the Government Solicitor's Office was assessed as part of the 2011-12 Budget Process. This initiative will commence in 2011-12 with a budget of \$0.900m and is funded on an ongoing basis.

- (5) In relation to the *Human Rights Act*:

- (a) Following the tabling of the Five Year Review Report in the Legislative Assembly on 18 August 2009, the government undertook a public consultation process seeking public submissions on the Report and any other matter in relation to possible legislative and other reforms to improve the operation of the Human Rights Act 2004 (ACT). 13 submissions were received. As part of the consultation process, I also agreed to conduct a round table discussion involving

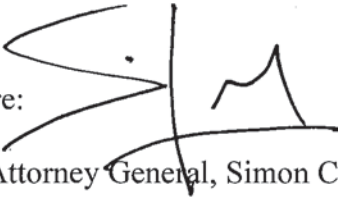
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community and non-government sector organisations. On 25 June 2010, a forum of 17 community and non-government sector organisations, including representatives from civil liberties and legal professional organisations was convened. It is anticipated that the government's response will be tabled in the Legislative Assembly in December 2011.

- (b) The preparation of the government response is being undertaken within existing JACS resources.

Approved for circulation to the Standing Committee on Estimates 2011-2012

Signature:



By the Attorney General, Simon Corbell MLA

Date:

20.6.11



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2011-2012

## ANSWER TO QUESTION ON NOTICE



Mrs Vicki Dunne MLA : To ask the Attorney General, Mr Simon Corbell MLA

Ref: Justice and Community Safety Directorate, BP4, p 249

In relation to : General Issues – Strategic Objectives

- (1) In relation to Strategic Objective 2 – Safe Community:
  - (a) When the ACT experienced a fall of 20% in criminal offences from 2009-10 to 2010-11, why is it anticipated that the rate will increase by 12.5% from 2010-11 to 2011-12?
  - (b) Is the drop in the percentage of people feeling safe or very safe, from 92.8% in 2010-11 to 91.3% in 2011-12 reflective of the predicted increase in criminal offences? What other factors influence this outcome?
  - (c) Given Note 2 to the table of strategic indicators, why are detainee escapes/absconds while being transported from court and within a court complex while under the supervision of correctional officers not reported and predicted separately?
  - (d) The percentage of defendants found guilty is expected to fall by 6.8% in 2011-12 but the number of offences is predicted to increase by 12.5%. Why the disparity?
- (2) In relation to Strategic Objective 4 – Effective Regulation and Enforcement:
  - (a) Why is it predicted that, in 2011-12, there will only be an 80% legislative compliance rate when the estimated outcome for 2010-11 is 98%?
- (3) In relation to Strategic Objective 5 – Promotion and protection of rights and interests:
  - (a) On what basis is it calculated that the estimated outcome for 2010-11 is 100% for the percentage of new government laws that are compatible with human rights legislation at the time of introduction?
  - (b) How can that claim be made when the Scrutiny Committee raised so many concerns – many of them serious – about compliance with the human rights

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legislation during 2010-11 and on the basis of which amendments had to be introduced and amended explanatory statements tabled?

- (c) Why is it that the predicted number of people made aware of their human rights will fall below, not only the number for 2010-11, but even below the number for 2009-10?

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

(1) In relation to Strategic Objective 2 – Safe Community:

- a) The increase for criminal offences of 12.5% in 2011-12 is an estimated prediction only.

The increased rate of 12.5% from 7,900 offences in 2010-11 to 8,891 offences in 2011-12 is derived by taking an average of the 2009-10 actual result (9,883) and the 2010-11 estimated outcome (7,900), which took the actual figure for the first 6 months of 2010-2011 and extrapolated the second half results.

- b) (i) The drop in the percentage of people feeling 'safe' or 'very safe' at home in 2011-12 is an estimated prediction only and is not correlated to the predicted 2011-12 increase of 12.5% for criminal offences.

The 2011-12 figure of 91.3% is derived by taking the average of the 2009-10 actual result (89.8%) and the 2010-11 estimated outcome (92.8%).

- (ii) There are a number of variables that influence the perception of fear of crime including feelings of safety about one's community, media sensationalism about recent events, maintenance of residents properties, concern or anxiety about children, social change, age, gender, education and whether or not a person has been a victim of crime in the past.

- c) ACTCS counting definitions for this strategic indicator are aligned with the National Corrections Advisory Group, Report on Government Services (Code CS3 "*Escapes and Absconds*"), which requires that jurisdictions exclude and footnote escape/absconds by detainees while being transported from court and from within a court complex while under the supervision of correctional officers.

- d) The figure of 6.8% for the percentage of defendants found guilty in 2011-12 is an estimated prediction only and is not correlated to the increase in the number of criminal offences.

The predicted decrease in 2011-12 of 6.8% in the percentage of defendants found guilty is derived by taking the average of the 2009-10 actual result (6.2%) and the 2010-11 estimated outcome (7.4%).

(2) In relation to Strategic Objective 4 – Effective Regulation and Enforcement:

- (a) The target in question was set a number of years ago. Over the past two years the Office of Regulatory Services has increased its proactive compliance activity, which has resulted in a higher proportion of businesses complying with regulatory schemes. The Office of Regulatory Services intends to review the target during 2011/12. I have also provided this information in response to the same question taken on notice from Mr Brendan Smyth during the JACS Estimates hearing on 20 May 2011.

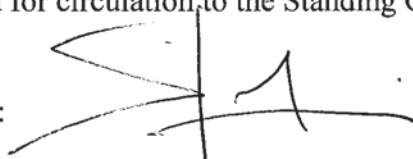
(3) In relation to Strategic Objective 5 – Promotion and protection of rights and interests:

- (a) The Justice & Community Safety Directorate (JACS) engages early with other directorates to assist them to develop legislation which is human rights compatible. Part of this engagement is to inform agencies about the policy that underpins legislation, including the purpose of the policy, the outcome being sought and the available options for achieving that outcome. Through this process, Government ensures that its legislation is human rights compatible and that any limits are reasonable, applying the least restrictive means available to achieve the purpose of the legislation.
- (b) All Government legislation is assessed for human rights compatibility prior to being issued with a statement of compatibility. Where legislation engages human rights in a way that limits an individual's rights, an assessment is made of its human rights compatibility based on the factors identified in s28 of the Act. That is, the nature of the right affected, the purpose and importance of the bill, the nature of the limitation and how it relates to the purpose and whether there is any less restrictive means available to achieve the purpose of the legislation. This assessment includes consideration of established principles of human rights law (based on domestic and international case law and authoritative commentary) to inform a decision about whether, in the circumstances, any limit on human rights is reasonable and "can be demonstrably justified in a free and democratic society." Importantly, any assessment of what constitutes a reasonable limit on human rights must involve an evaluation of competing rights.

To date, the Government has introduced 50 bills in 2010-2011, 36 of which have been notified. Of the 36 notified bills, 17 were amended in the Legislative Assembly (43.5%). An examination of the amendments made in the Legislative Assembly reveals that only 3, possibly 4, of those amendments involved human rights issues. While these amendments may have strengthened human rights protections, In my view, even without these amendments the bills would not have been incompatible with human rights.

The Government's record on introducing human rights compatible legislation is reflected in the fact that, since the commencement of the *Human Rights Act 2004* on 1 July 2004, the ACT Supreme Court has made only one declaration of incompatibility.

- (c) The expected end of year result for 2010-2011 (7,500) may be unusually high due to a number of activities, which attracted a large number of participants. For example, in July 2010, the ACT Human Rights Commissioner gave a speech and handed out awards at an Academic Awards Ceremony at a local Secondary College, at which over 1,000 young people were in attendance.

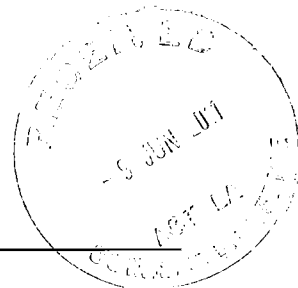
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Signature: 	Date: 19.6.11
By the Attorney General, Simon Corbell MLA	



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

## SELECT COMMITTEE ON ESTIMATES 2011-2012

### ANSWER TO QUESTION ON NOTICE



Mrs Vicki Dunne MLA : To ask the Attorney-General, Mr Simon Corbell MLA

Ref: Legal Aid Commission, BP4, p 501 and Statement of Intent

In relation to : eGrants

- (1) What progress has been made to implement the eGrants system?
- (2) What was the budget and what is the estimated final cost to instal and implement? If any difference, why?
- (3) What training will be provided to staff and what will that cost?
- (4) What cost savings and administrative efficiencies will eGrant generate?
- (5) To what extent will those savings and efficiency gains be re-directed to other areas of service delivery?

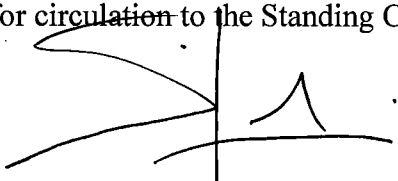
Simon Corbell : The answer to the Member's question is as follows:–

- (1) The online invoicing component of eGrants has been tested, trialled and is being progressively rolled-out to law firms that handle legal aid work. The next two stages of the eGrants project (online processing of applications for legal assistance and requests for extensions of assistance) are currently being developed and will be tested, trialled and rolled-out during 2011/12.
- (2) The budget for eGrants is included in the New Directions Project funding provided by the ACT Government. This funding amounts to \$446,000 over 2009/10 and 2010/11. The estimated final cost for the New Directions Project is \$446,000 with no variance to budget.

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- (3) On-job training will be provided by project staff at minimal cost.
- (4) eGrants is expected to generate savings by reducing the amount of manual processing work currently carried out by lower level administrative support staff in Client Services. The extent of these savings will be ascertained once eGrants has been implemented and its impact on workloads accurately assessed. Administrative efficiencies will include faster processing of applications for legal assistance and requests for extensions of assistance, simplified invoicing and faster payment of professional fees and disbursements. The amount of communication between the Commission and assigned practitioners during the course of handling legally assisted cases will also be reduced.
- (5) Savings and efficiency gains will be directed firstly to ensuring compliance by legal practitioners with practice standards and other requirements for handling legally assisted cases and secondly to the provision of additional legal aid services.

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Signature: 	Date:
By the Attorney General, Simon Corbell MLA	7.6.11