



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2015-16

MR BRENDAN SMYTH MLA (CHAIR), MS MEEGAN FITZHARRIS MLA (DEPUTY CHAIR), DR CHRIS BOURKE MLA, MS NICOLE LAWDER MLA

QUESTION ON NOTICE

Dr Chris Bourke MLA : To ask the Minister for Justice and Community Safety

Regarding:

Output Class 1: Justice Services

1.1 Policy Advice and Justice Programs (*JACSD Budget Statement D*, pp.9, 13.)

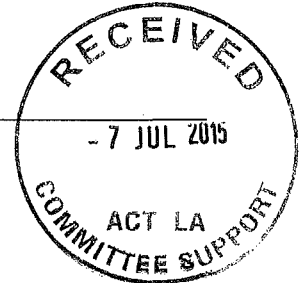
In relation to: The ACT PS Aboriginal and Torres Strait Islander Employment Strategy in JACS

What was the target set by the Head of Service for Aboriginal and Torres Strait Islander Employment in the the Justice and Community Safety Directorate? Was it met and if not, why not?

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

The Head of Service set the target of 27 Aboriginal and Torres Strait Islander headcount for the Justice and Community Safety Directorate (JACS) for 2014-2015.

As at 17 June 2015, JACS met this target and had 28 employees who identified themselves as being from Aboriginal and Torres Straits Islander background.



Approved for circulation to the Select Committee on Estimates 2015-16

Signature:

By the Attorney-General, Mr Simon Corbell MLA

Date:

7.7.15

INSTRUCTIONS FOR LODGING QUESTIONS ON NOTICES (QON):

1. Each QON should be brought to the Committee Support office as a signed hard copy AND, the same day, emailed in Word format to committees@parliament.act.gov.au
2. This should occur within **3 working days of when you were sent the uncorrected proof transcript**. Day 1 of the 3 working days is the next working day after the working day you were sent the uncorrected proof transcript. **Example:** *If a hearing were held on Monday, and the uncorrected proof transcript of the hearing were circulated the next day, Tuesday, (usual timeframe), the QON should be submitted by close of business on the Friday of that week.*
3. * Number assigned by Committee Support office



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ANSWER TO QUESTION ON NOTICE

Dr Chris Bourke MLA : To ask the Minister for Territory and Municipal Services

Regarding:

Output Class 1: Territory and Municipal Services

1.4 Land Management (inc Yarralumla Nursery, Arboretum) (TAMS Directorate Budget Statement H, pp.7, 12.)

In relation to: Updates to shopping centres

1. What is the timeline and the scope of works for the upgrade of the Cook shops as announced in the 2014/2015 budget last year?
2. What is the timeline and the scope of works for the upgrade of the Florey and Evatt shops?

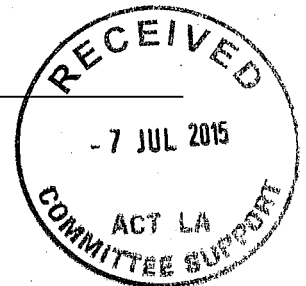
Shane Rattenbury MLA: The answer to the Member's question is as follows:-

1. Detail and construction tender drawings will be complete in August 2015. Construction is scheduled to begin in late 2015 and completed by mid 2016.

The scope of works includes:

- An additional parking space for people with a disability
 - Improvements to paved areas, including a new gathering space
 - Upgraded and additional pedestrian paths including a new path to the bus stop
 - Lighting and pram ramp upgrades
 - Street furniture ~~and~~ such as seats, bike racks and drinking fountain
2. Construction of minor works at Florey and Evatt shops is scheduled to begin in early 2016 and be completed by mid 2016.

The scope of works consists of furniture improvements such as bike racks, drinking fountains, seats, and notice boards.



Further minor upgrades consistent with the preliminary plans for upgrading Evatt and Florey shops, will be undertaken as funds become available for this.

Approved for circulation to the Select Committee on Estimates 2015-16

Signature:



Date:

6/7/15

By the Minister for Territory and Municipal Services, Shane Rattenbury MLA

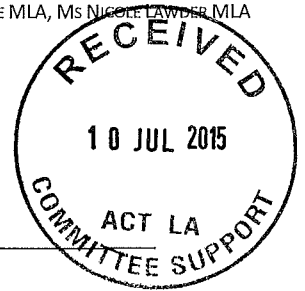


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**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by Dr Chris Bourke on 26 June 2015: Ms Maureen Sheehan took on notice the following questions:

[Ref: Hansard Transcript 26 June 2015 [PAGE #9 (DRAFT)]]

In relation to: National Disability Insurance Scheme registered providers.
There are 161 registered providers.

- a) What does that represent in the increase of organisations within the ACT over the last couple of years?
- b) How many were there previously?
- c) How many are you expecting to have?
- d) What percentage of private enterprise organisations has joined the market?

Ms Joy Burch: The answer to the Member's question is as follows:-

- a) As of 30 April 2015 there were 161 providers registered with the National Disability Insurance Agency, this represents an increase of almost two and half times the number of organisations delivering disability services since the trial commenced on 1 July 2014.
- b) At 1 July 2014, 64 providers were in contract with the ACT Government. This does not include disability services delivered by Disability ACT, the Health Directorate and the Education and Training Directorate.
- c) Although it was expected that the market would grow, the ACT NDIS Taskforce had no expectations on the number of new providers coming into the ACT.
- d) Before the NDIS commenced in the Territory, the ACT government funded four private enterprise disability providers. This was 6% of ACT government funded specialist disability providers. As of 30 April 2015 there were 90 private providers registered with the National Disability Insurance Agency. This is 56% of ACT NDIS registered providers.

Approved for circulation to the Select Committee on Estimates 2015-16

Signature:

Date: 10-7-15

By the Minister for Disability, Ms Joy Burch

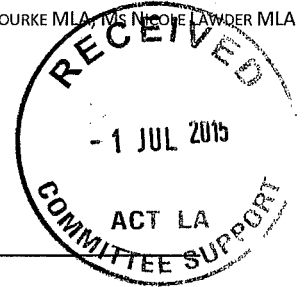


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**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by Mr Doszpot on 22 June 2015: The Minister for Education and Training took on notice the following question(s):

Ref: Hansard Transcript 22 June 2015 Page 766

In relation to: Allegations of Bullying, workplace Harassment

MR DOSZPOT: Minister, my question was, and I am happy for you to take this on notice: how many claims of bullying or workplace harassment or similar have been lodged in the last 18 months? I am happy to have you take that on notice.

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

Since 22 December 2013, CIT has addressed three claims of bullying. Of these, two required no further action under the Enterprise Agreement and one is in progress.

Approved for circulation to the Select Committee on Estimates 2015-16

Signature:

Date: 20/6/15

By the Minister for Education and Training, Joy Burch

INSTRUCTIONS FOR ANSWERING QUESTIONS TAKEN ON NOTICE (QTON):

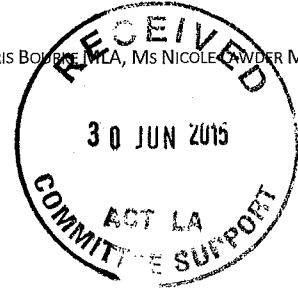
1. Answers to QTONs should be lodged in signed hard copy (not emailed) to the Committee Support office within **5 working days of the hearing day when the question was taken on notice**. Day 1 is the first working day after the day of the hearing in which the question is taken on notice. **Example:** If the question is taken on notice on Monday, the answer should be submitted by close of business the following Monday (even if the hearings for the portfolio stretch across several days).
2. Where an answer provides a referral to sources of information in published documents, the answer should include the name of the document, the author and / or agency publishing the document, page number/s, and a hyperlink to the document, if applicable.
3. * Numbers assigned by Committee Support office



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ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS

Asked by Mr Smyth on 15 June 2015: Mr David Nicol took on notice the following question:

[Ref: Hansard Transcript Estimates 15-06-15 [PAGE #10]]

In relation to: Splits of conveyance duty revenue

THE CHAIR: And I might just take a sup as well if we are going to do stamp duty. how many copies are, on the stamp duty, what is the split between residential and commercial payments?

Mr Barr: Residential is the majority of revenue that is collected. From memory I think when we had it we were collecting about 220 million, 160 from residential and 60 from commercial. That is around the ballpark. I mean, that will vary from year to year and, in fact, I guess you have got two factors that play, Mr Smyth. (1) the volume of transactions and then the level at which they occur. So as property values increase, unless you are cutting the rate of stamp duty there is a bracket creep component of—and I guess that is particularly what the Property Council have hit on with the 800 per cent increase in—eight times increase in stamp duty collection. There is a bracket creep element of that as property values increase. So the do nothing, do not change tax rates thresholds, just let the value of properties grow we will see stamp duty revenues continue to increase on a trajectory like that and that has certainly been the case in Sydney's housing bubble.

THE CHAIR: So it is 160 and the number of transactions?

Mr Nicol: We can take that on notice and give you those transactions.

Treasurer, Andrew Barr MLA: The answer to the Member's question is as follows:—

The 2013-14 outcome for conveyance duty, split between entity types, is in the table below. 2013-14 is the most recent year that actual outcomes are available for.

	2013-14 Outcome (\$'m)	%	Number of transactions
Residential	163.6	72	11,891
Commercial	65.1	28	570
Total	228.7	100	12,461

Approved for circulation to the Select Committee on Estimates 2015-16

Signature: *Andrew Barr*

Date: 30.6.2015

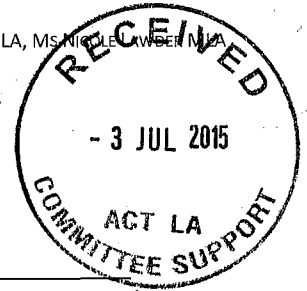
By the Treasurer, Andrew Barr MLA



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

Asked by MR SMYTH on 26 June 2015: Mr Whitney took on notice the following question(s):

[Ref: Hansard Transcript 26 June 2015 [PAGE 30 Proof]]

In relation to: Completion date of the review of the arts policy framework

THE CHAIR: All right and the review was finalised on what date? The review document?

Ms Burch: Well, public consultation was—we had an end date of that but as Mr Whitney has indicated this was an ongoing—it did not have—it was not a vacuum of activity and review and finessing of the policy in that time.

THE CHAIR: That is okay but when was the final review document completed?

Mr Whitney: The exact date I will have to get back to you. I mean, we reviewed the document, we prepared the information and provided advice to the minister but I cannot recall the date.


THE CHAIR: That is okay. Take it on notice. That is fine. And so we will get the new arts framework sometime soon?

MINISTER FOR THE ARTS: The answer to the Member's question is as follows:—

The consultation period for the Review of the ACT Arts Policy Framework was opened on 18 March 2015 and closed on 5 May 2015. artsACT provided the Review material to the ACT Arts Policy Framework Review Reference Group for comment on 7 and 8 May 2015. The first draft of the 2015 ACT Arts Policy and consultation material was forwarded by artsACT to my office on 18 May 2015. ACT Government agencies were consulted in the period 21-29 May 2015. The final 2015 ACT Arts Policy was agreed by government on 10 June 2015.

Approved for circulation to the Select Committee on Estimates 2015-16

Signature:

 2/7/15

Date:

By the Minister for the Arts, Joy Burch MLA

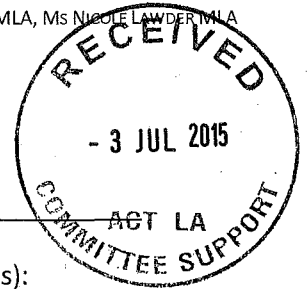


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**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by MR SMYTH on 26 June 2015: Mr Dawes took on notice the following question(s):

[Ref: Hansard Transcript 26 June 2015 [PAGE 42 Proof]] In relation to: Kingston Arts Precinct

THE CHAIR: From the plans that were unveiled last week, what percentage of the space was given over to commercial and what percentage is given over to residential and what percentage is given over to the arts?

Mr Dawes: I just have to take some of that on notice, but what we have actually tried to ensure, that what has gone out, from an Arts perspective—

Ms Burch: 7,500 squares was the figure I was interested in on the weekend, and so that is what is in the paper. 7,500 square metres.

THE CHAIR: Sorry, 7,500 square metres is what?

Ms Burch: For arts.

Mr Dawes: For the arts facilities.

Ms Burch: And the others we can take on notice and provide.

MINISTER FOR THE ARTS: The answer to the Member's question is as follows:—

The Stewart Architecture report released on 20 June 2015 identified an arts functional brief requirement of 7,571sqm based on the requirements of the arts groups consulted as part of the study. The preferred design option outlined in the Stewart Architecture Report, if developed, could provide up to 9,120sqm of public and arts use space, and potentially up to 53,413sqm of mixed use (commercial and residential) and a large amount of quality public outdoor space. The arts requirement of 7,571 sqm represents 14.2 per cent of the identified potential total GFA.

The Stewart Architecture report did not provide a break up of residential and commercial development and it is therefore not possible to identify each as a percentage of the total GFA.

Approved for circulation to the Select Committee on Estimates 2015-16

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Date:

2/7/15

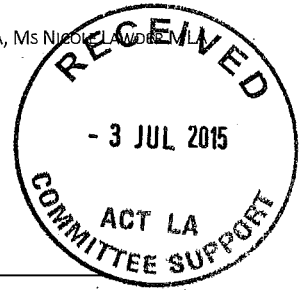
By the Minister for the Arts, Joy Burch MLA



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

Asked by DR BOURKE on 26 June 2015: Mr Whitney took on notice the following question(s):

[Ref: Hansard Transcript 26 June 2015 [PAGE 44 Proof]]

In relation to: Public Arts collection

DR BOURKE: So what is the value of our public art collection, minister?

Mr Whitney: I will need to take that question on notice. I think it is immeasurable. I think it is fantastic. But that is not the correct answer that you need today. So I will take that question and we will come back to you with that.

DR BOURKE: And maybe some tracking over time as to whether it is increasing in value or—

Mr Whitney: There is absolutely no question that the public art collection has increased in value substantially; not necessarily just to the works that we inherited from the previous National Capital Development Authority, and works that have been in the TAMS collection for some time, but works that have been installed through that percent for arts scheme have now, according to their annual valuation, have increased quite substantially. So we could certainly provide that information.

MINISTER FOR THE ARTS: The answer to the Member's question is as follows:—

The current value of the 98 Public Artworks that make up the artsACT public art collection is valued at \$15.013 million at the end of the 2014-15 financial year. This is a \$0.808 million increase on the previous value of \$14.205 million from the 2013-14 financial year.

Approved for circulation to the Select Committee on Estimates 2015-16

Signature:

2/7/15

Date:

By the Minister for the Arts, Joy Burch MLA

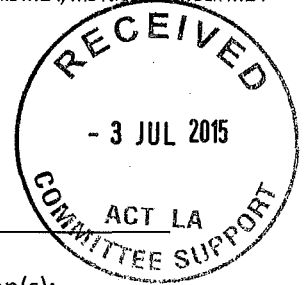


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**ANSWER TO QUESTION TAKEN ON NOTICE
DURING PUBLIC HEARINGS**



Asked by MR SMYTH on 26 June 2015: Mr Dawes took on notice the following question(s):

[Ref: Hansard Transcript 26 June 2015 [PAGE 61 Proof]]

In relation to: Online gambling and federal activity

THE CHAIR: And who looks after it in terms of communications? Is that the Attorney-General for the ACT? Or would you attend a communications ministers' meeting?

Ms Burch: Well, I do not attend communication ministers—and this is one of the frustrating things about it, because it seems to be in communications, but it is a problem that effects the gaming ministers. So I turn up as gaming minister and—but the avenue is through communications. So I think it is frustrating.

THE CHAIR: So who is the ACT rep on that ministerial council?

Ms Burch: For gaming and racing, it is me.

THE CHAIR: No, no, for communications?

Ms Burch: Well, it is not me. I do not know if there is a minister's meeting for communications.

THE CHAIR: Does anybody know?

Mr Dawes: I am not sure. We will have to just take that on notice.

THE CHAIR: All right, that is fine.

Mr Dawes: It may be the Chief Minister, but I do not want to say that until we clarify it.

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

On 27 May 2011, the Council of Australian Governments (COAG) Select Council on Gambling Reform determined that the then Australian Government Department of Broadband, Communications and the Digital Economy would undertake a review of the Australian Government's *Interactive Gambling Act 2001* (IGA). On 29 May 2012, an Interim Report from the review was released. The interim report made 32 recommendations, some of which had implications for the ACT.

The ACT Government supported a national approach to regulate the interactive gambling industry and for the enforcement of harm minimisation and consumer protection measures. Following a meeting of Commonwealth, state and territory officials, all jurisdictions indicated their support in-principle (subject to further discussion with relevant ministers) to work toward a national harm minimisation standard. There was also support for a state and territory working group to guide implementation.

Implementation of the recommendations was delayed due to the 2013 Federal Election. As a result of the election, a new Coalition Federal Government was sworn in. In 2014, I wrote to the Federal Minister for Communications, the Hon Malcolm Turnbull MP concerning the implementation of the Review's recommendations.

It is understood the Australian Government moved away from the Review's recommendations and established a new national working group, *the Illegal Offshore Wagering Working Group* (the Group). A key commitment of the Group is to investigate methods to strengthen the enforcement of the IGA to ensure Australians are protected from illegal online gambling operators.

Formed under the Australian Government's Gambling Industry Advisory Council (comprised of representatives of clubs and gaming venues), the Group includes industry representatives from the racing industry, professional sports and wagering organisations and researchers.

With the absence of any state and territory government representatives or officials on the Group, I will continue to monitor the Australian Government's work in this area.

Approved for circulation to the Select Committee on Estimates 2015-16

Signature:



By the Minister for Racing and Gaming, Joy Burch MLA

Date:

2/7/15



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

Asked by MR SMYTH on 26 June 2015: Ms Gilding took on notice the following question(s):

[Ref: Hansard Transcript 26 June 2015 [PAGE 63 Proof]]

In relation to: Passage of the *Gaming Machine (Reform) Amendment Act 2015*

Ms Gilding: In terms of following the passage of the Gaming Machine Reform (Amendment) Act which as you said on 4 June, so in between the passage of that bill there are some housekeeping amendments that need to be made to the regulations so that the provisions actually align to the changes in terms of section numbering, in terms of terminology and so there is a range of parts and sections that will be updated. In terms of going to the heart of any policy changes, this is I guess what you would say, it is more of housekeeping.

There is one key regulation that will be coming through, which is going to be included as part of the transitional regulation that I will point out to the committee and that is about preserving the existing in principle approval granted to the Eastlake Football Club for a new venue in the Gungahlin town centre. So the provisions in the old legislation allowed for in principle approval and approval was given and we are just ensuring that that still is valid in the new act and new regime.

So I guess that is probably the most interesting regulation, apart from changing section numbers and terminology. And of course then there is the raft of notifiable instruments that need to come through in terms of the commencement, the commencement of the tax changes, the commencement of the actual trading scheme itself. There will be an instrument notifying the number of machines on the starting day of phase one. There is a particular formula in there that has a value called SN that we need to actually notify from the commission.

So some of those things actually necessarily have to be quite aligned to the actual commencement, because between commencement and what happens now, there may be some forfeiture of machines. We cannot guarantee what actually happens at the minute, until we have actually aligned that with that start date.

THE CHAIR: So the tax rates start on 1 July?

Ms Gilding: Yes, that is right.

THE CHAIR: Okay, and then the other—and if you have to take it on notice, that would be fine—I think there was three disallowable and five notifiable instruments in that list you provided. Could we have an update on where they are at and what their are likely dates are?

Ms Gilding: Yes, certainly. Look, I have a list here. I will just check with colleagues and see whether I can table that at the moment. I will provide that, in terms of all the notifiable instruments and the sections that will be changed of the regulation.

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

On 25 June 2015, I notified commencement (CN2015-10) of section 81 of the *Gaming Machine (Reform) Amendment Act 2015* relating to taxation matters. The notifiable instrument provides for commencement of section 81 on 1 July 2015.

Commencement of the remaining provisions of the *Gaming Machine (Reform) Amendment Act 2015*, with the exception of Schedule 1 (Other amendments - compulsory surrender), is currently scheduled for end-August 2015 and a separate commencement notice is being prepared for these provisions. Disallowable and notifiable instruments that will be notified in support of this are identified at Attachment A. In addition, instruments that may be notified in future are identified at Attachment B.

Amendments to the subordinate law (*Gaming Machine Regulation 2004*) will also be progressed to align the Regulation's provisions with changes introduced under the Amendment Act.

Approved for circulation to the Select Committee on Estimates 2015-16

Signature:



By the Minister for Racing and Gaming, Joy Burch MLA

Date:

2/7/15

Legislative instruments relating to commencement of amendments to <i>Gaming Machine Act 2004</i>	
Instrument	Section
Notifiable	Section 2 Commencement
Notifiable	Section 10 Maximum number of authorisations for gaming machines allowed in ACT.
Disallowable	Section 177
Legislative instruments relating to ongoing enactment of amendments to <i>Gaming Machine Act 2004</i>	
Instrument	Section
Notifiable	Section 10 Maximum number of authorisations for gaming machines allowed in ACT.

Application

Commencement by written notice on a day fixed by the Minister for Racing and Gaming.

Section 10 (1) The definition of **SN** needs to be notified on the ACT Legislation Register on the relevant day (commencement day).

Replacement of existing instrument relating to fees determination

Application

Section 10 (3) As soon as practicable after each time the maximum number of authorisations for gaming machines changes, the commission must prepare a notice stating the new maximum number and the date of the change.

Future instruments that may be notified relating to <i>Gaming Machine Act 2004</i>		
Instrument	Section	Application
Notifiable	Section 113A Disposal of gaming machines – notifiable action.	Section 113A (3) The commission may approve a means of disposing of a gaming machine under this section.
Disallowable	Section 127ZF Storage of gaming machines and authorisations – rules.	Section 127ZF (1) The commission may determine rules about the following in relation to the storage of gaming machines and authorisations under a permit: (a) the class of gaming machine to which the rules apply; (b) the type of premises where gaming machines must be stored; (c) the circumstances in which premises may be used for storing gaming machines for 2 or more licensees; (d) the minimum standard for security arrangements and safeguards for storing gaming machines under a permit; (e) who may have access to a gaming machine stored under a permit; (f) who is to be responsible for the storage of gaming machines under a permit; (g) the records that must be kept for gaming machines and authorisations under a permit; (h) the procedures for enabling the commission to inspect premises where gaming machines are stored.

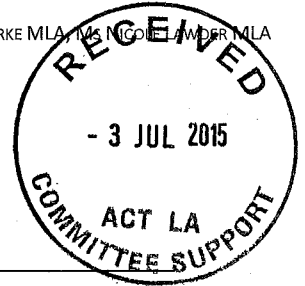
Future instruments that may be notified relating to <i>Gaming Machine Act 2004</i> – following commencement of Schedule 1 – Other amendments – compulsory surrender		
Instrument	Section	Application
Notifiable	Section 10D Maximum gaming machine authorisation numbers not exceeded – authorised tender.	Section 10D (2) The Minister may declare that- (a) additional authorisations may be acquired by licensees by tender (an authorisation tender); and (b) the trading of authorisations under division 6.10 (Trading of authorisations and gaming machines) must cease during the period of the authorisation tender.



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

Asked by MR SMYTH on 26 June 2015: Mr Dawes took on notice the following question(s):

[Ref: Hansard Transcript 26 June 2015 [PAGE 53 Proof]]

In relation to: Funding for the racing industry

THE CHAIR: Just as a supp to that, what is the future support now for the racing industry in the ACT, the local racing industry?

Mr Jones: Economic Development might like to comment on this, but basically budget appropriations give ongoing or committed support to the racing industry in the order of approximately \$8 million, but I could be corrected on that.

Mr Dawes: David Dawes, Director-General of Economic Development. As per the budget papers, again the government is committed to the four year funding there, which is just under \$42 million over the four years for the various codes. Just over \$8 million in the 14-15 and that, in 15-16, goes up to \$8.26 million and then up to the final year of this period in 18-19, at \$6.36 million as well. So there is just under \$42 million.

THE CHAIR: So what certainty does the racing industry have long term, if the government will continue to support it?

Ms Burch: Well, as I said in my opening statement, we will progress some work on the longer year contractual arrangements, but there—they are into the budget, and you can see in the outyears they are now built in as a regular activity. They were given that assurance at the time of sale. They have continued to have that assurance from me, but I understand their desire to have longer term arrangements and we will work through the MOU process to provide that certainty for them.

Mr Dawes: Yes, just to add to that—

THE CHAIR: What table was that you were quoting from?

Mr Dawes: That is in the budget papers as well at—I have not got the page here in front of me, but there is a table in the budget where we talk about what funding that we are providing. It is on page 76 of the Chief Minister & Treasurer one, in BP B and that outlines what we are providing. It is in given as a lump sum, Chair, but I am more than happy to provide you with a per annum break up to make it easier.

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

Development of the 2015-16 Budget provides for annual rolling grant funding to the local racing industry, with provision for \$42 million in grants over the five years to 2018-19:

2014-15 Estimated Outcome	2015-16 Budget	2016-17 Estimate	2017-18 Estimate	2018-19 Estimate	Total
\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
8,022	8,226	8,428	8,636	8,636	41,948

Source: CMTEDD Strategic Finance

Current funding to the racing industry is included as part of CMTEDD's annual Grants and Purchased Services on behalf of the Territory identified on page 76 of the Budget Estimates.

Note: Given July 2014 administrative arrangements combined the former Economic Development Directorate with other elements of CMTEDD (who also provide grants funding to industry and/or the community on behalf of the Territory), government funding to the racing industry is no longer explicitly identifiable in the Budget papers.

Approved for circulation to the Select Committee on Estimates 2015-16

Signature:



By the Minister for Racing and Gaming, Joy Burch MLA

Date:

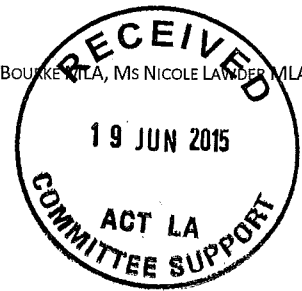
2/7/15



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2015-16

MR BRENDAN SMYTH MLA (CHAIR), MS MEEGAN FITZHARRIS MLA (DEPUTY CHAIR), DR CHRIS BOURKE MLA, MS NICOLE LAWDER MLA



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

Asked by Mr Brendan Smyth on 12 June 2015 : Mr Phillip Green took on notice the following question(s):

12 June 2015 PAGE 96

In relation to :

How much were you given for the redistribution, how much was expended and has any been returned to the Government coffers?

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

During the 2014 Estimates Committee hearing, Elections ACT estimated the 2014/2015 redistribution of electoral boundaries process to cost approximately \$41,000. As at 31 May 2015, Elections ACT had expended \$49,736.

Although underspent on a number of aspects of the redistribution process Elections ACT used the funding to develop an online redistribution mapping application to facilitate the lodging of public submissions and objections. No funding will be returned to the Government.

Approved for circulation to the Select Committee on Estimates 2015-16

Signature:

Date:

16/6/15

By the Acting Electoral Commissioner, Rohan Spence

INSTRUCTIONS FOR ANSWERING QUESTIONS TAKEN ON NOTICE (QTON):

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3. * Numbers assigned by Committee Support office



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2015-16

MR BRENDAN SMYTH MLA (CHAIR), MS MEEGAN FITZHARRIS MLA (DEPUTY CHAIR), DR CHRIS BOURKE MLA, MS NICOLE LAWDER MLA

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



Asked by MR SMYTH on Friday, 19 June 2015: Mr Ogden took on notice the following question(s):

[Ref: Hansard Transcript Friday, 19 June 2015, pg 1 - proof]

(P.555 MPT)

In relation to: Output classes

THE CHAIR: Yes, so confirmed. The Chief Minister has waived his right to have an opening statement so we will just go straight to questions. Chief Minister, output class 8, economic development, the table 17 on page 23 of budget paper B seems to indicate a reduction in the total cost but an increase in the payments for outputs. Could you just run us through what is happening there?

Mr Ogden: Paul Ogden, Chief Finance Officer for Chief Minister's Treasury and Economic Development Directorate. Mr Smyth, the movement from the government payment for outputs is generally as a result of the new initiative for the urban renewal projects and the slight decrease in total cost is mainly as an impact of the increase of those projects offset by the movement of the projects and contracts coming from Property Group into output class 5. I can provide you a written reconciliation.

MINISTER FOR ECONOMIC DEVELOPMENT: The answer to the Member's question is as follows:—

The movement (increase) of \$15.2 million from the 2014-15 Estimated Outcome to the 2015-16 Budget in government payment for outputs is mainly due to the impact of \$24.1 million for new initiatives (\$3 million for Output 8.2, \$2.7 million for Output 8.3, \$1.4 million for Output 8.4, \$0.4 million for Output 8.6 and \$16.6 million for Output 8.9 (Urban Renewal)), partially offset by rollovers and cessation of initiatives (\$3.5 million) and savings of \$5.3 million.

The movement (decrease) of \$3 million from the 2014-15 Estimated Outcome to the 2015-16 Budget in total cost is mainly due to the reasons noted above, the expenditure of \$4 million associated with own source revenue and depreciation of \$1.3 million, partially offset by the reduction in expenditure of \$21.6 million associated with the transfer of the Project and Contracts team from Output 8.7 (Property Services) to Output 5.1 (Procurement and Capital Works).

Approved for circulation to the Select Committee on Estimates 2015-16

Signature: 

Date: 29.6.2015

By the Minister for Economic Development, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2015-16

MR BRENDAN SMYTH MLA (CHAIR), MS MEEGAN FITZHARRIS MLA (DEPUTY CHAIR), DR CHRIS BOURKE MLA, MS NICOLE LEWIS MLA

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



Asked by MS FITZHARRIS on Friday, 19 June 2015: Ms Gilding took on notice the following question(s):

[Ref: Hansard Transcript Friday, 19 June 2015, pg 20 - proof]

(P. 573 MP7)

In relation to: Research – housing affordability

Ms Gilding: So I think in general housing affordability as the committee knows is a complex issue and certainly it has been on the national agenda at the moment and what we hear there is it is all about supply, and when you have a look at what the ACT has done over the last five years certainly we have increased supply so if you look from over the last five years to 13-14 we have released over 19,000 dwelling sites when compared with the five years previous where you know it about around that 11,000.

So we have certainly seen that increase in supply starting to flow through to the market, we have seen that stabilizing of house prices partly due to supply, partly due to also other economic indicators as well. We have certainly seen a reduction in rental prices which has put the ACT at the top of the charts in terms of those indicators that tell us, you know, what portion of income you need to buy a house or what portion of income you need to pay the rent.

But what is important is that we know that the story certainly does not stop there and that while overall supply is part of it we then need to come back and have a look at what our targeted initiatives are particularly when we are looking in the quintile 2 range of the income cohorts and quintile 1. Now, there was an interesting article that was released, research article in March this year, and it talks about slippers and stickers and it often, it talks about the fact that people slide in and out of housing affordability and I think, Ms Fitzharris, that is some of the comment that you have probably been hearing from the seniors there. And so, look, we have seen three phases of the affordable housing action plan from 2007 with 98 different initiatives. So the government has certainly shown its commitment to this problem and to addressing this problem.

One of the pieces of work that the economic policy team is actually currently undertaking is to do an evaluation of those 98 initiatives. We need to just sit back and say what has worked really well? What do we need to continue doing? And perhaps what should we be retargeting? So if we have a look at land rent, that was in the previous budget was certainly retargeted to, again, match within that, to target that quintile to that cohort that we know struggles with that housing affordability and sort of goes against the grain of those higher level figures that says the ACT is actually doing really well. But if you have a look at some of the initiatives in terms of the NRAS and providing the affordable housing, you know, the 74.9 per cent. I think, you know, the ACT did really well with its

2,500 incentives in relation to that. We have got land rent. We have got the 20 per cent of affordable dwellings in Greenfields built to those thresholds. We have got the CHC partnership. But I think also there is a critical question about bringing the community along to understand the discussion for those cohorts in terms of affordable housing.

So a recent example, I think, is what, the engagement we did with the Higgins community about 12 months ago now where we actually had the conversation with the community that said there are a lot of large houses in Higgins. You have an aging cohort, an aging population. We know that they want to stay within the community and age in place and we did have a conversation about utilising the land for infill in that area. Unfortunately the community was not supportive of affordable housing in Higgins at that time. Certainly there will be a site released in '15-16 for aged care on the former school site but in terms of actually revitalising that area and providing that diversity of housing choice, I think that is a conversation that we need to be continuing to have with the community.

MS FITZHARRIS: The NRAS, so the decision of the commonwealth to longer proceed with NRAS has been, I understand, poorly received. Is there anything in the pipeline that you see coming from the commonwealth in terms of a placement for NRAS or—

Mr Dawes: My intelligence is not at all and I think, again, if you look at NRAS and the percentage of the take up here in the ACT we did very well in that as well but we cannot see any programs at this point in time. That is not to say something may not come in, in future years and we will certainly be very keen to participate in something like if something like that option came up.

THE CHAIR: Supplementary, Dr Bourke, and Mr Coe.

MS FITZHARRIS: Sorry, with the report that you mentioned in March, could we get the specific reference?

MINISTER FOR ECONOMIC DEVELOPMENT: The answer to the Member's question is as follows:—

The reference details for the research article about housing affordability are:

Measuring Housing Affordability: A Longitudinal Approach
Article Author(s): Emma Bakera, Kate Mason & Rebecca Bentley
Journal Title: Urban Policy and Research
Year, Volume, Issue: Published online: 21 May 2015
Inclusive Pages:
ISSN: 1476-7244

Approved for circulation to the Select Committee on Estimates 2015-16

Signature: 

Date: 30.6.2015

By the Minister for Economic Development, Andrew Barr MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2015-16

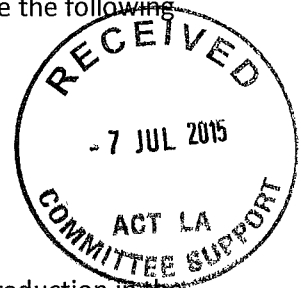
MR BRENDAN SMYTH MLA (CHAIR), MS MEEGAN FITZHARRIS MLA (DEPUTY CHAIR), DR CHRIS BOURKE MLA, MS NICOLE LAWDER MLA

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

Asked by Mr Brendan Smyth MLA on 25 June 2015: Mr Philip Kellow took on notice the following question(s):

[Ref: Hansard Transcript 26 June 2015 [PAGE 1008]]

In relation to: Number of long-wait criminal cases



THE CHAIR: Just before we go back to members, you quoted some figures on the reduction in the number of long-wait civil cases and said there were similar numbers in criminal cases. What are the criminal numbers for that period?

Mr Kellow: As of 31 May the number of criminal cases pending which are more than 24 months old is nine and the number of criminal cases pending that are older than 12 months is 45.

THE CHAIR: The minister quoted a period. Can we go back a couple of years and find out how many?

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

In the Supreme Court there were:

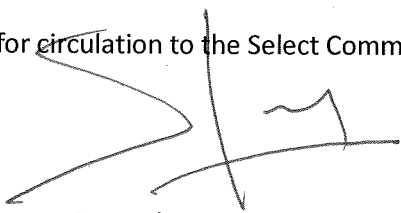
- 38 criminal cases pending for more than 24 months as at 30 June 2011; and
- 11 criminal cases pending for more than 24 months as at 30 June 2014.

INSTRUCTIONS FOR ANSWERING QUESTIONS TAKEN ON NOTICE (QTON):

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Approved for circulation to the Select Committee on Estimates 2015-16

Signature:

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

Date: 7.7.15

By the Attorney-General, Mr Simon Corbell MLA



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2015-16

MR BRENDAN SMYTH MLA (CHAIR), MS MEEGAN FITZHARRIS MLA (DEPUTY CHAIR), DR CHRIS BOURKE MLA, MS NICOLE LAWDER MLA

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

Asked by Mr Brendan Smyth MLA on 25 June 2015: Mr Simon Corbell MLA took on notice the following question(s):

[Ref: Hansard Transcript 26 June 2015 [PAGE 1012 – 1013]]

In relation to: Written reconciliation of FTE's and savings for the JACS Directorate



THE CHAIR: If you go to page 2 and you look at the staffing, there are about 300 jobs lost, which I assume have moved to Access Canberra?

Ms Playford: That is right. Just over 300 staff moved to Access Canberra.

THE CHAIR: Then there is an increase this year of about 50 jobs. What is driving that?

Ms Playford: It is primarily new initiatives. Some of them are related to, particularly in Corrective Services, the expansion of those facilities. That is probably the biggest one-off. Moira, I do not know if there are any significant ones. There are some additional FTEs for related matters, but they are primarily from the new initiatives.

Ms Crowhurst: Yes, I confirm that. The increase arises from 2015-16 new budget initiatives and also there is the impact of the step up in the AMC additional facilities resourcing that was provided in the 2014-15 budget. But it now steps up in 2015-16. They are the two main movements there.

THE CHAIR: Can we have a written reconciliation of both the numbers and the staff movements?

Mr Corbell: Yes, we can take that on notice, Mr Smyth.

INSTRUCTIONS FOR ANSWERING QUESTIONS TAKEN ON NOTICE (QTON):

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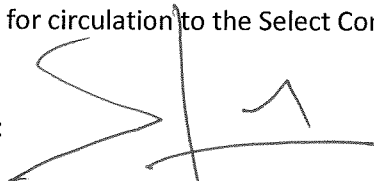
Mr Simon Corbell MLA: The answer to the Member's question is as follows:-

The following table provides a reconciliation of the change in FTE from the 2014-15 Budget to the 2015-16 Budget.

	FTE
2014-15 Original Budget	1,833
Transfer of Office of Regulatory Services (ORS) to Access Canberra within CMTEDD following the AA changes with effect from 15 December 2014	(315)
additional staff largely funded through one-off own source revenue activities	10
2014-15 Estimated Outcome	1,528
2015-16 Budget Initiatives:	
Victims of Crime Financial Assistance Scheme Reforms	3.5
Restorative Justice Scheme – Phase 2	3.0
ACT Government Solicitor – Additional resources	4.0
Eastman Stay Application	1.7
Justice Reform Strategy – Enhancing community corrections	4.0
ACT Corrective Services Information Management Solution	3.1
Judicial Resourcing – Fifth judge	0.9
Strengthening Emergency Services – Territory Radio Network upgrade – Phases 2 and 3	1.0
Strengthening Emergency Services – New Direct Turnout System	0.1
net impact of prior year budget outcomes largely associated with the 2014-15 Budget initiative AMC additional facilities	36.3
Other net movements, mainly the cessation of one-off own source funded related activities	(8.6)
2015-16 Budget	1,577

Approved for circulation to the Select Committee on Estimates 2015-16

Signature:



Date:

7.7.15

By the Attorney-General, Mr Simon Corbell MLA

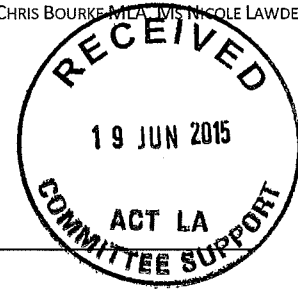


LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2015-16

MR BRENDAN SMYTH MLA (CHAIR), MS MEEGAN FITZHARRIS MLA (DEPUTY CHAIR), DR CHRIS BOURKE MLA, MS NICOLE LAWDER MLA

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



Asked by Mr Brendan Smyth on 12 June 2015 : Mr Scott Hickey took on notice the following question(s):

12 June 2015 PAGE 108

In relation to :

Part 1) In the Electoral Commissioner's Statement of Changes in Equity on page 28 of the 2015-16 Budget Statements, what is the reason for the decline in Opening Accumulated Funds in the out years, from \$731,000 down to \$165,000?

Part 2) In the Electoral Commissioner's Statement of Changes in Equity on page 28 of the 2015-16 Budget Statements, the operating results for the period are all negative numbers. What does that indicate? How are these numbers linked to the decline in the balance at the end of the reporting period and to the opening equity?

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

Part 1) The reduction of Accumulated Funds relates to the amortisation and depreciation of Electoral Commission assets. As the Commission is funded on a "Cash basis", amortisation and depreciation expenses have the effect of reducing accumulated funds in the out years, with the "Cash" to acquire the assets being provided in earlier reporting periods.

Part 2) The Commission's negative operating results are indicative of the Commission being funded on a "Cash basis", with the annual appropriation for Government Payments not including funds to cover amortisation and depreciation expenses. Cash to acquire assets is recognised in the Statement of Changes in Equity as capital injections rather than as revenue in the Operating Statement. As the negative operating results attributed to amortisation and depreciation expenses exceed capital injections in the forward estimates, equity at the end of each reporting period declines, consequently, the opening equity in the subsequent periods also declines.

Approved for circulation to the Select Committee on Estimates 2015-16

Signature:

Date: 16/6/15

By the Acting Electoral Commissioner, Rohan Spence



Simon Corbell MLA

DEPUTY CHIEF MINISTER

ATTORNEY-GENERAL

MINISTER FOR HEALTH

MINISTER FOR THE ENVIRONMENT

MINISTER FOR CAPITAL METRO

MEMBER FOR MOLONGLO

Mr Brendan Smyth MLA
Chair
Select Committee on Estimates 2015-16
GPO Box 1020
CANBERRA ACT 2601



Dear Mr Smyth

Select Committee on Estimates 2015-16 – further update of evidence provided

I write to provide a further update to information provided by the CEO of Legal Aid ACT, Dr John Boersig, in evidence to the Select Committee on Estimates 2015-16 at its hearing on Thursday 25 June 2015.

The evidence related to the number of clients that have been supported by Legal Aid ACT over the last few years, and a response was provided to the Committee on 7 July 2015. Dr Boersig also offered to update the Committee if end of financial year reporting became available before the tabling of the Committee's Report on 4 August 2015, and as such has provided an update response for the information of the Committee.

I appreciate the opportunity to provide this further update to the Committee relating to these matters.

Yours sincerely

Simon Corbell MLA
Attorney-General

27.7.15

ACT LEGISLATIVE ASSEMBLY



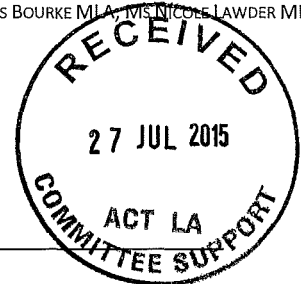
LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

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SELECT COMMITTEE ON ESTIMATES 2015-16

MR BRENDAN SMYTH MLA (CHAIR), MS MEEGAN FITZHARRIS MLA (DEPUTY CHAIR), DR CHRIS BOURKE MLA, MRS NICOLE LAWDER MLA

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



Asked by Mr Jeremy Hanson MLA on 25 June 2015: Dr John Boersig took on notice the following question(s):

[Ref: Hansard Transcript 26 June 2015[PAGE 39]]

In relation to: Funding impacts on Legal Aid Commission

MR HANSON: So in terms of the number of (indistinct) 11.54.03 and I appreciate that the work that you would do would vary. So it might be difficult to express whether it is an increase or not, but in terms of the number of clients that you have supported as a raw number do you have a raw number of how many you have supported over the last few years?

Dr Boersig: We do and we can certainly take that on notice, in terms of the last few years. But over the last year, for example we provided 72,000 information referrals, and that was set against the target of 60,000. That is a lot of activity. The number of legal information and advice services, our target was 9000. We provided 14,000 over the past year. We are hoping to do that by recalibrating with our staff to invest in that kind of approach and we have also, as I indicated, there has been a decline in the number of grants. We have been able to stem that decline and it looks like we will be able to hit the targets about 2100 grants this current financial year which is really great because it is providing that assistance in court that we also need to do. As I say the first time in seven or eight years that we engage.

INSTRUCTIONS FOR ANSWERING QUESTIONS TAKEN ON NOTICE (QTON):

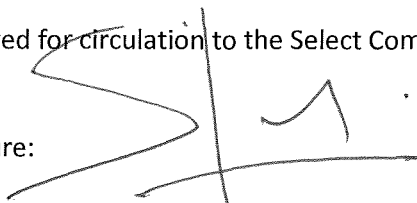
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Simon Corbell MLA: The answer to the Member's question is as follows:-

	2010-2011	2011-2012	2012-2013	2013-2014	2014-2015
Number of information and referral services provided	41,389	58,550	68,395	72,541	75,127
Number of legal advice and minor legal assistance services provided in person	4,260	3,917	3,666	4,369	5,175
Number of advocacy services provided	0	295	794	1,004	780
Number of legal information and advice services provided by the Legal Aid Helpline	6,949	8,021	9,668	13,356	14,512
Number of duty lawyer services provided	3,373	2,961	3,031	2,594	2,685
Number of legally assisted cases	2,295	2,276	2,214	2,127	2,167

Approved for circulation to the Select Committee on Estimates 2015-16

Signature:



Date: 27.7.15

By the Attorney-General, Mr Simon Corbell MLA

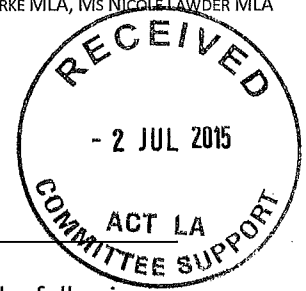


LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2015-16

MR BRENDAN SMYTH MLA (CHAIR), MS MEEGAN FITZHARRIS MLA (DEPUTY CHAIR), DR CHRIS BOURKE MLA, MS NICOLE LAWDER MLA

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



Asked by Mr Brendan Smyth MLA on 25 June 2015: Mr Dominic Lane took on notice the following question(s):

[Ref: Hansard Transcript 25 June 2015 [PAGE 1041]]

In relation to: Positions filled using lateral transfer process for executive positions

Mr Lane: It is part of a full and open employment process. Ultimately, the person that appoints SES contracted officers is the Head of Service. Quite rightly, as the employer, we have a number of different options—as we would have not only for this job or other senior executive service jobs but also jobs within other parts of the ACT government—that allow us to laterally transfer positions and put people with the appropriate qualification into those roles. That is exactly what we have identified in this particular case.

THE CHAIR: How many other senior positions in the ESA have been filled in this way in the past?

Mr Lane: I am not sure within my tenure because there has not been much opportunity for vacancies during my time. Whether or not it has happened in the past I would have to take on notice.

Ms Joy Burch MLA: The answer to the Member's question is as follows:—

There have been no specific transfers of this nature in the ESA.

There have been 5 transfers at level of executives either within or from the Justice and Community Safety Directorate since October 2010.

INSTRUCTIONS FOR ANSWERING QUESTIONS TAKEN ON NOTICE (QTON):

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3. * Numbers assigned by Committee Support office

Approved for circulation to the Select Committee on Estimates 2015-16

Signature:



Date: 2.7.15

By the Minister for Police and Emergency Services, Ms Joy Burch MLA

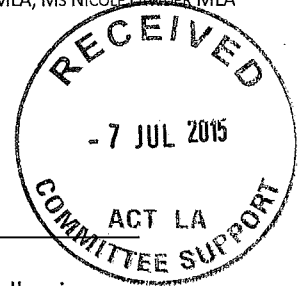


LEGISLATIVE ASSEMBLY
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SELECT COMMITTEE ON ESTIMATES 2015-16

MR BRENDAN SMYTH MLA (CHAIR), MS MEEGAN FITZHARRIS MLA (DEPUTY CHAIR), DR CHRIS BOURKE MLA, MS NICOLE LAWDER MLA

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



Asked by Ms Nicole Lawder MLA on 25 June 2015: Mr Dominic Lane took on notice the following question(s):

[Ref: Hansard Transcript 25 June 2015 [PAGE 1052]]

In relation to: Specific external reviews undertaken by the ESA

MS LAWDER: Have there been in the financial year that we are just finishing up or are there planned for the coming financial year of this budget any other outside reviews, evaluations or studies—anything planned or has anything occurred in the past year?

Ms Burch: On single response?

MS LAWDER: No, on anything.

Ms Burch: Any reviews across ESA?

MS LAWDER: From outside emergency services—that you have asked someone else to come in and perform.

Mr Lane: From time to time, reviews are conducted but most principal reviews have not been the ones conducted by ESA in recent times; they have been the ones conducted by the Chief Minister, Treasury and Economic Development Directorate as part of the expenditure review of ESA. We will, from time to time, utilise external resources to assist in providing us with advice. That just helps us get a better understanding of how we can do things better.

MS LAWDER: And you have got nothing particular scheduled for the coming year of this budget?

Mr Lane: There is nothing specific of any great significance that comes to mind. I would have to take on notice if there is anything. Under the strategic reform agenda, we have engaged additional consultants and support, for example in running the staff-facilitated workshops that the minister mentioned before. When we launched the strategic reform agenda, we were very keen to make

INSTRUCTIONS FOR ANSWERING QUESTIONS TAKEN ON NOTICE (QTON):

1. Answers to QTONs should be lodged in signed hard copy (not emailed) to the Committee Support office within **5 working days of the hearing day when the question was taken on notice**. Day 1 is the first working day after the day of the hearing in which the question is taken on notice. *Example: If the question is taken on notice on Monday, the answer should be submitted by close of business the following Monday (even if the hearings for the portfolio stretch across several days).*
2. Where an answer provides a referral to sources of information in published documents, the answer should include the name of the document, the author and / or agency publishing the document, page number/s, and a hyperlink to the document, if applicable.
3. * Numbers assigned by Committee Support office

sure we had independent facilitators available to assist with that. So on three levels we have engaged three different consultants to assist us with that. At the top level, that is working with the ESA executive in terms of the new strategy and the way forward. We have used a consultant in relation to the broader engagement with staff in relation to the SRA and what that means for staff in the new way forward. And through the ACTAS blueprint for change, we have also run, I think it is now, four workshops. David? We have run four significant workshops; the last one only finished last week. We have also engaged people to support us with that and provide advice back to me in order to help with decision making and planning. We have also engaged people to support us with that and provide advice back to me in order to help with decision-making and planning.

Ms Joy Burch MLA: The answer to the Member's question is as follows:—

As I have previously advised during the Estimates hearing for Emergency Services, the Emergency Service Agency (ESA) is moving forward with implementing a Strategic Reform Agenda arising from the recently completed reviews. The ESA's Strategic Reform Agenda will bring together key improvements the agency needs to undertake in the next five years to 2020.

This may potentially involve conducting further reviews where appropriate and seeking external support as needed for such reviews in the future.

Approved for circulation to the Select Committee on Estimates 2015-16

Signature:



Date: 7.7.15

By the Minister for Police and Emergency Services, Ms Joy Burch MLA