

INQUIRY INTO APPROPRIATION BILL 2017–2018 (No 2) AND
APPROPRIATION (OFFICE OF THE LEGISLATIVE ASSEMBLY)
BILL 2017-2018 (No 2)

STANDING COMMITTEE ON PUBLIC ACCOUNTS

MARCH 2018

REPORT 3

COMMITTEE MEMBERSHIP

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RESOLUTION OF APPOINTMENT

At its meeting of 13 December 2016 the Legislative Assembly resolved to create ‘a Standing Committee on Public Accounts to:

(i) examine:

(A) the accounts of the receipts and expenditure of the Australian Capital Territory and its authorities; and

(B) all reports of the Auditor-General which have been presented to the Assembly;

(ii) report to the Assembly any items or matters in those accounts, statements and reports, or any circumstances connected with them, to which the Committee is of the opinion that the attention of the Assembly should be directed; and

(iii) inquire into any question in connection with the public accounts which is referred to it by the Assembly and to report to the Assembly on that question’.¹

On 26 October 2017 the Legislative Assembly resolved to amend the above resolution as follows:

“Insert after (e)(i)(A), the words:

(AA) matters relating to market and regulatory reform (excluding Access Canberra), public sector management, taxation and revenue.”²

¹ Legislative Assembly for the ACT, *Minutes of Proceedings No. 2*, 13 December 2016, p.13, available at: https://www.parliament.act.gov.au/_data/assets/pdf_file/0008/1017980/MoP002F1.pdf

² Legislative Assembly for the ACT, *Minutes of Proceedings No. 37*, 26 October 2017, p.489, available at: https://www.parliament.act.gov.au/_data/assets/pdf_file/0003/1122285/MOP037F.pdf

TERMS OF REFERENCE

At its meeting on Thursday, 15 February 2018, the Assembly passed the following resolution:

"That the Appropriation Bill 2017-2018 (No 2) be referred to the Standing Committee on Public Accounts."³

At its meeting on Thursday, 15 February 2018, the Assembly passed the following resolution:

"That the Appropriation (Office of the Legislative Assembly) Bill 2017-2018 (No 2) be referred to the Standing Committee on Public Accounts."⁴

³ Legislative Assembly for the ACT, *Minutes of Proceedings*, 15 February 2018, p.674, available at: https://www.parliament.act.gov.au/_data/assets/pdf_file/0009/1164906/MoP046F.pdf.

⁴ Legislative Assembly for the ACT, *Minutes of Proceedings*, 15 February 2018, p.675.

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RECOMMENDATIONS

RECOMMENDATION 1

3.54 The Committee recommends that ACT government agencies, including the ACT Education Directorate, develop criteria for review and criteria for success for future projects prior to procurement and implementation.

RECOMMENDATION 2

4.50 The Committee recommends that if procurement documents on service providers on a panel to support the Elective Surgery Wait List Reduction program are not published on the ACT government procurement website, that these documents be published on the website.

1 INTRODUCTION

- 1.1 On 15 February 2018 the Legislative Assembly for the ACT referred the Appropriation Bill 2017-2018 (No 2) and Appropriation (Office of the Legislative Assembly) Bill 2017-2018 (No 2) to the Standing Committee on Public Accounts for inquiry and report.⁵
- 1.2 The Bills were referred separately to the Committee, however the Committee agreed to provide one report to the Assembly in relation to the two Bills.

CONDUCT OF THE INQUIRY

- 1.3 In this instance the Committee agreed to invite only the Chief Minister and Treasurer; the Minister for Education, and the Minister for Health to appear before it in hearings.
- 1.4 The Committee held two public hearings for the inquiry. On Friday 9 March the Treasurer and the Minister for Education appeared, with their officers, before the Committee. On Wednesday 14 March 2018 the Minister for Health and her officers appeared before the Committee.
- 1.5 Witnesses and Questions Taken on Notice are shown in Appendices A and B of this report.

STRUCTURE OF THE REPORT

- 1.6 The report presents material from hearings in the order they occurred.
- 1.7 The structure of the report includes:
 - Chapter 1, which is the present introduction to the report;
 - Chapter 2, which considers hearings with the Chief Minister and Treasurer;
 - Chapter 3, which considers hearings with the Minister for Education; and
 - Chapter 4, which considers hearings with the Minister for Health.

⁵ See Legislative Assembly for the ACT, Minutes of Proceedings, 15 February 2018, pp.674, 675, available at:
https://www.parliament.act.gov.au/_data/assets/pdf_file/0009/1164906/MoP046F.pdf

COMMITTEE COMMENT

- 1.8 The Committee notes the referral of the Appropriation (Office of the Legislative Assembly) Bill 2017-18 (No. 2), and makes no further comment.
- 1.9 The Committee notes that remaining narrative and committee comment in the present report relates its consideration of the Appropriation Bill 2017-18 (No.2).

2 TREASURY

ACT ECONOMIC POSITION

2.1 As noted above, the Treasurer and his officers appeared before the Committee in hearings of 9 March 2018 for the purposes of the inquiry.

2.2 In hearings, the Committee asked the Treasurer about the state of the ACT economy. In particular, it asked how assessments in the budget review compared with those made in a report commissioned by the Assembly's Select Committee on Estimates 2017-18 which, it was suggested, described 'some of the macro-economic forecasts as optimistic'.⁶

2.3 In responding, the Treasurer told the Committee that:

The Pegasus report was unduly pessimistic, given the performance of the territory economy across most of the key measures. Employment growth through the calendar year 2017 at 4.6 per cent, or the creation of 10,000 new jobs in the economy, moving from 220,000 jobs, roughly, to 230,000 jobs within the territory, was a very significant increase in employment and, when measured against the long-run average employment growth, was really an outstanding result for the territory.⁷

2.4 He told the Committee that:

Pleasing also was our gross state product 2016-17 result of 4.6 per cent growth. In the state final demand figures that were released earlier this week the ACT recorded the strongest growth of all the states and territories, I believe. I can give you a run-down between the different states and territories. In the quarter, we grew by 1.6 per cent as measured by state final demand. Tasmania was the next strongest, at 1.3 per cent. New South Wales was at 1 per cent. Queensland was at 0.9 per cent. The others recorded more modest growth or, in the cases of Western Australia and the Northern Territory, their economies contracted in that quarter.⁸

2.5 In addition, he told the Committee:

⁶ *Proof Transcript of Evidence*, 9 March 2018, p.2. See also 2017-18 Budget, 'Budget Review', viewed 15 March 2018, available at: https://apps.treasury.act.gov.au/_data/assets/pdf_file/0017/1163321/2017-18-Budget-Review.pdf

⁷ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.2.

⁸ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.2.

Through the year, the ACT state final demand growth was five per cent. That was the highest in the nation and ahead of the Australian result, which was 3.1 per cent. All components of ACT state final demand contributed positively to that growth. Private capital investment, particularly strength in dwelling construction, machinery and equipment investment, and both government and household final consumption expenditure increased.⁹

2.6 This, he told the Committee, represented ‘a period of strong economic growth for the territory’, and ‘perhaps indicates that, although the art of economic forecasting is a challenging one, those who have been talking down the ACT economy have been unduly pessimistic’.¹⁰

2.7 When asked as to factors contributing to growth, the Treasurer told the Committee that:

We are certainly seeing the export sector of our economy performing strongly. We are seeing growth in professional, scientific and technical services. Higher education exports grew by nearly 25 per cent in the last year.¹¹

2.8 He told the Committee that:

We are also seeing growth in the health and community services sectors. As the NDIS transition scales up, you are certainly seeing growth in that area.¹²

2.9 The Treasurer told the Committee that the Commonwealth had ‘outsourced a range of activities, so the commonwealth public sector has not been growing in size’, but the ‘work still needs to be done’, and ‘more of it is being done by consultants in the private sector’. As a result the ACT was seeing ‘those particular areas associated with commonwealth government requirements growing strongly—defence, national security, cyber and ICT related areas in particular’.¹³

2.10 In summary, he told the Committee:

Education, retail, tourism, hospitality, construction—a broad range of sectors have contributed positively to both the territory’s economic growth and the growth of our labour market.¹⁴

⁹ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.2.

¹⁰ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.2.

¹¹ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.2.

¹² Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, pp.2-3.

¹³ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.3.

¹⁴ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.3.

BORROWINGS

2.11 In hearings, the Committee asked the Treasurer questions regarding borrowings. It asked him questions as to why net borrowings had increased from \$176 million in 2016-17 to \$485 million in the 2017-18 budget, and a further increase to \$501 million in the midyear review. In particular, the Committee asked him questions as to why this increase was considered necessary.¹⁵

2.12 In responding, the Treasurer told the Committee that:

The total territory borrowing program over the budget in forward years remains largely unchanged from the estimates that were set out in the 2017-18 budget. There have been some changes in the update to reflect the timing of cash flows.¹⁶

2.13 He told the Committee that the ‘estimated actual annual new government borrowings have been re-profiled’; had been ‘put in that particular table contained within the papers associated with the appropriation’; and that this table showed that new borrowings were expected to ‘reduce in 2017-18 and 2018-19’.¹⁷

2.14 He told the Committee that:

The cash flow changes that are outlined in the territory banking account reflect an improvement of \$155 million in the territory bank account’s actual cash position compared to the estimated outcome. This is due to a higher level of revenue received on behalf of the territory, lower appropriation repayments, expenses on behalf of the territory being lower and the capital injection being lower, offset by lower capital distribution receipts ...¹⁸

2.15 These lower capital distribution receipts, he told the Committee:

mostly comprise \$50 million from the environment and planning directorate in relation to the loose-fill asbestos insulation eradication scheme and \$29 million from the former Land Development Agency.¹⁹

¹⁵ *Proof Transcript of Evidence*, 9 March 2018, p.6.

¹⁶ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.6.

¹⁷ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.6.

¹⁸ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.6.

¹⁹ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.6.

2.16 At this point the Committee asked further questions regarding debt. In particular it asked why it was that the midyear review showed borrowing increased to \$501 million, while he stated that there was less borrowing.²⁰

2.17 In responding to the question, the Treasurer told the Committee that this reduction in borrowing was accurate '[i]n terms of new borrowings':

The change in profile largely reflects the capital program, the delivery schedule and the need. We do not borrow ahead of needing the capital. As the territory's cash position continues to improve, we are able to re-profile and push out the need for new borrowing.²¹

2.18 In response to further questions about this process, the Treasurer told the Committee that:

There is an issue of new borrowing that was foreshadowed in the budget required for this current fiscal year that we are heading towards, being three-quarters of the way through, versus the borrowings for previous years. Then, as the cash position improves, the need for new borrowings reduces. But the infrastructure program, of course, rolls on. It is like a wave as it rolls through the forward estimates.²²

INCREASE IN GST DISTRIBUTIONS TO THE ACT

2.19 In responding to the Treasurer's statements, the Committee asked whether the ACT's cash position was largely due to additional funding from the Commonwealth of \$66 million.²³

2.20 In responding, the Treasurer told the Committee:

It depends on what you consider commonwealth funding. The GST is not commonwealth funding; it is a state and territory revenue source. The top-up, such as it is, reflects the fact that the ACT's population share is larger, because the ABS [Australian Bureau of Statistics], in between the five-yearly census period, really struggles to track internal migration within Australia.²⁴

²⁰ *Proof Transcript of Evidence*, 9 March 2018, p.6.

²¹ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.7.

²² Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.7.

²³ *Proof Transcript of Evidence*, 9 March 2018, p.7.

²⁴ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.7.

2.21 He told the Committee, the ABS was ‘very good at capturing births and deaths’:

About half of the ACT’s population growth is the excess of births over deaths. Our natural population increase is about one per cent each year. It is between 0.8 and one per cent.²⁵

2.22 He also told the Committee that the ABS was ‘pretty good at capturing the first point of arrival for migration into the country’, but ‘internal migration between states and territories is very difficult for them to track’. As a result he told the Committee:

What has happened consistently for the ACT in the 15 years for which I have paid attention to these matters is that, when it comes to census day, their estimates have been out and have erred on the low side in terms of the number of people from interstate who are in Canberra.²⁶

2.23 The Treasurer told the Committee that as a result the ABS had ‘found about 10,000 more Canberrans on census night’. This meant that ‘our share of the national population increased from 1.6 to 1.7 per cent, roughly, and then our GST pool distribution increased’.²⁷

2.24 The ACT received ‘slightly more than a per capita amount’, so that its ‘relativity is above one’, and that meant that:

the ACT share of the total GST pool increased and, fortuitously, the total GST pool increased marginally from what the commonwealth had been forecasting. That revenue has come into the territory. So, in effect, we have got the catch-up.²⁸

2.25 However, he told the Committee:

We do not get five years of catch-up; we really only get the current fiscal year and projected forward [estimates] ...²⁹

2.26 When asked whether an additional \$66 million, not anticipated in the budget, had improved the ACT’s cash position in the midyear review, the Treasurer told the Committee:

Yes. We have got the census data and we have got the commonwealth’s midyear update, which is the other new data point and proof point for the GST allocation. The two factors working in our favour were our share of the national pool being bigger and the total pool of GST being slightly bigger than the commonwealth had forecast. That has helped. But then our own source revenue has improved, particularly on the payroll

²⁵ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.7.

²⁶ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, pp.7-8.

²⁷ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.8.

²⁸ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.8.

²⁹ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.8.

side, with the strength of the labour market. Those 10,000 extra jobs, given the fact that almost none of them were in the commonwealth public service, all fall into the payroll tax net—well, not all of them but a larger portion.³⁰

LAND TAX SURCHARGE FOR FOREIGN INVESTORS

2.27 The Committee asked the Treasurer questions regarding a land tax surcharge for foreign investors announced in the budget review. It noted the introduction of a vacant property tax in 2017 and new investment in a housing innovation fund, and asked what part these measures played in government actions on housing affordability.³¹

2.28 In responding, the Treasurer told the Committee that:

From 1 July this year, foreign investors will be charged an annual land tax surcharge of 0.75 per cent on the AUV of residential land that they own. To be clear, the charge does not apply to ACT residents or investors, domestic investors.³²

2.29 The Treasurer told the Committee that this measure would provide:

together with a number of other measures that we have announced, assistance for local homebuyers to compete with foreign investors. The surcharge will increase land tax for a median residential unit with an average unimproved value of \$101,372 by around \$760, and for the median house with an AUV of about \$330,000 by \$2,470 in 2018-19.³³

2.30 He told the Committee that:

Similar surcharges, in fact more significant surcharges, have been applied in New South Wales, Victoria and Queensland, and I understand that a number of other states, if they have not already done so in their midyear updates or budgets, will be doing this. The commonwealth have made a number of changes to their requirements in relation to both bank lending to investors and their own range of regulatory interventions around foreign investors in particular. Former Treasurer Joe Hockey, I think, even took a property from a foreign investor as a result of an FIRB examination of that particular acquisition.³⁴

³⁰ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.8.

³¹ *Proof Transcript of Evidence*, 9 March 2018, p.8.

³² Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.8.

³³ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, pp.8-9.

³⁴ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.9.

2.31 He also told the Committee that:

The surcharge is estimated to raise around \$4 million over the three years from 2018-19 to the end of the forward estimates period, 2020-21. The suite of measures that have been applied by state and territory governments and by the commonwealth have certainly seen the investor side of the market cool a little. It clearly was a deliberate intention of both the federal government's interventions through APRA and their requirements on the banks around loans for investment properties, tightening those requirements, together with what we have implemented. Arguably this either levels the playing field particularly for first home buyers in our market or possibly even tilts the playing field slightly in their favour.³⁵

2.32 In response, the Committee asked what the impact on house prices was expected to be as a result of a 0.75 per cent levy on foreign investors.³⁶

2.33 In reply, the Treasurer told the Committee that:

It will be relatively modest. The experience in the other jurisdictions that have applied these sorts of arrangements has been either a moderation in house price growth or some falls. The Sydney market perhaps is the outlier here in that those prices had risen faster than those in the rest of the country for quite an extended period. I think it was the heat in the Sydney market that led the federal government to make the changes they did in relation to investors, particularly foreign investment. There was a concern, particularly in Sydney and to a lesser extent in Melbourne, that there was a large amount of foreign capital being parked in residential property. It was not even necessarily property that was then made available for rent.³⁷

RATE OF POPULATION GROWTH

2.34 In hearings, the Committee asked the Treasurer to identify drivers of population growth in the ACT.³⁸

2.35 In responding, the Treasurer told the Committee that:

We have seen a natural rate of increase of population. Births do exceed deaths each year and contribute to the growth of the city. As the city gets larger, the actual number of births over deaths continues to grow each year as well. Interstate migration had a

³⁵ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.9.

³⁶ *Proof Transcript of Evidence*, 9 March 2018, p.9.

³⁷ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.9.

³⁸ *Proof Transcript of Evidence*, 9 March 2018, p.11.

period of at least being reported by the ABS as negative, assumed to be that way as a result of job losses in the commonwealth public sector in the 2014-15 period.³⁹

2.36 He told the Committee that the ABS was now reporting that this had ‘turned positive’:

So more people are coming to Canberra from other parts of Australia, and we continue to receive a strong share of international migration associated with our skilled migration program requirements within the territory economy, together with a preference for many newly arrived migrants to settle in the Canberra region broadly.⁴⁰

2.37 The Treasurer told the Committee that there were ‘contributing factors to that’:

Historically the strength of the labour market has had a very strong impact on the rate of our population growth. The stronger the labour market is, the faster Canberra’s population grows. Our workforce participation rate is well above the Australian average. A shorthand way to describe Canberra is as a working city. So the more job creation there is, the stronger our population. Our comparative affordability, higher salaries and wages in this economy and relatively lower house prices and rental compared to Sydney, in particular, are a strong attracter for people to move into the region.⁴¹

2.38 He told the Committee that:

One of the other reasons why we have kept very strong levels of population growth is our ability to retain people post their working life. As the city ages—our 105th birthday is coming up over this long weekend—there are now multiple generations of families in the city. People were born in Canberra, so they do not have another city to go back to once their working life has concluded, either in full or in part. There is no doubt that our ability to retain people in that particular demographic has improved considerably. It used to be that people came to Canberra to work and retired back to where they came from or retired to a spot, say, on the south coast of New South Wales.⁴²

2.39 He also told the Committee that:

One could speculate that the availability of cheap real estate on the New South Wales south coast has perhaps expired, and the quality of service provision, particularly in health, is not as good the further you are away from a major city. Because of factors of family, of birthplace, of quality of service and quality of life, more people are retiring and staying in Canberra than was the case previously. That, combined with a strong

³⁹ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.11.

⁴⁰ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.11.

⁴¹ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.11.

⁴² Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, pp.11-12.

labour market, combined with a strong birth rate, sees our city's population grow ahead of the national average in recent times.⁴³

FURTHER APPROPRIATION FOR THE REPORTABLE CONDUCT SCHEME

2.40 In hearings of 9 March 2018 the Committee asked questions regarding a further appropriation of \$615,000 for the Reportable Conduct scheme in the Appropriation Bill 2017-18 (No.2).⁴⁴

2.41 In response to questions, the Head of Service told the Committee that the original funding to the Ombudsman was '\$1.3 million over four years',⁴⁵ and that the figure of \$615,000 was for an additional injection of funding to the ACT Ombudsman in relation to the scheme 'for one year':⁴⁶

This is for one year. This is to address what we now know to be the demands on the Ombudsman's office, because originally, of course, we had to make an assessment. Plus it allows them to begin their preparations for religious organisations being covered.⁴⁷

2.42 When asked whether legislation to provide for coverage of religious organisations under the Scheme had been drafted, scheduled to come into force from 1 July 2018, the Deputy Director-General, Strategic Policy and Cabinet, CMTEDD, told the Committee:

No, not as yet. We are still consulting with religious bodies. But that consultation closes on 16 or 18 March, and then we will be preparing the drafting of the legislation.⁴⁸

2.43 When asked whether this was a tight timeframe in view of the implementation date of 1 July 2018, the Deputy Director-General agreed that it was.⁴⁹

⁴³ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.12.

⁴⁴ *Proof Transcript of Evidence*, 9 March 2018, p.12. For information on the expansion of the Reportable Conduct Scheme, see Chief Minister, Treasury and Economic Development Directorate, 'Reportable Conduct Scheme expansion underway', viewed 14 March 2018, available at: <http://www.cmd.act.gov.au/policystrategic/reportable-conduct-scheme>

⁴⁵ Ms Kathy Leigh, *Proof Transcript of Evidence*, 9 March 2018, p.12. See Budget Paper No. 3, 2017-18 Budget, p.406, Table J.2, 'Table J.2: Safer Families initiatives in the 2017-18 Budget', item 'Safer Families – Reportable conduct scheme for employees', totalling 1,163,000 over four years 2017-18 to 2020-21., viewed 15 March 2018, available at: https://apps.treasury.act.gov.au/_data/assets/pdf_file/0006/1069989/Budget-Paper-3.pdf

⁴⁶ Ms Kathy Leigh, *Proof Transcript of Evidence*, 9 March 2018, p.12.

⁴⁷ Ms Kathy Leigh, *Proof Transcript of Evidence*, 9 March 2018, p.12.

⁴⁸ Ms Lisa Croke, *Proof Transcript of Evidence*, 9 March 2018, p.13.

⁴⁹ Ms Lisa Croke, *Proof Transcript of Evidence*, 9 March 2018, p.13.

CONSTRUCTION OF A MEDIA CENTRE AT MANUKA OVAL

- 2.44 In hearings of 9 March 2018 the Committee asked questions regarding a media centre being constructed at Manuka Oval.⁵⁰
- 2.45 When asked about the characteristics of the media centre, the Executive Director, Procurement Property and Venues, Commercial Services and Infrastructure, CMTEDD, told the Committee that:
- What we are doing is building an international standard media centre, which was a requirement to host international cricket matches and test matches. There are certain standards that are required, aside from the technology standards that we need.⁵¹
- 2.46 He told the Committee that the media centre was ‘versatile’:
- Aside from the test, the centre will be able to be used at Manuka for the Giants, for example, and they can use it for corporate hospitality as well, when it is not in use for cricket.⁵²
- 2.47 He told the Committee that there were different requirements for different types of sport events held at the Oval. For cricket, he told the Committee:
- The location of the centre itself has to be behind one of the bowlers’ arms, which is why it is on one of the sides there, but for AFL they actually like it on the side for commentating.⁵³
- 2.48 When asked how the different arrangements would work in practice, the Treasurer told the Committee that:
- There are facilities in the Bradman Stand that allow for commentary and coach boxes and the like for AFL, and this is required for cricket. For AFL games it can be a corporate space, and then in the context of cricket there is more corporate space available in the Bradman Stand.⁵⁴
- 2.49 The Treasurer went on to say, in response to further questions, that:
- The media centre is in use for media, and for cricket there is the capacity for players, coaches and others to use the Bradman facilities. But it is the media centre for cricket
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⁵⁰ *Proof Transcript of Evidence*, 9 March 2018, p.3.

⁵¹ Mr Daniel Bailey, *Proof Transcript of Evidence*, 9 March 2018, p.3.

⁵² Mr Daniel Bailey, *Proof Transcript of Evidence*, 9 March 2018, p.3.

⁵³ Mr Daniel Bailey, *Proof Transcript of Evidence*, 9 March 2018, p.3.

⁵⁴ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.3.

and it is an additional commercial facility in the AFL context. When neither sport is using the venue, the media centre can be utilised for events, be available for hire, and the like.⁵⁵

- 2.50 When asked with which international standards it was intended the media centre would comply, the Treasurer told the Committee that they were those of the ICC [International Cricket Council] and Cricket Australia. The Treasurer told the Committee that this needed to be done in order to ‘host any international cricket’, and that:

What we had to do previously was build temporary facilities, put up big marquees. All of the international cricket we have hosted has required a temporary media facility to be built. This will mean you no longer have to do that. So the costs of staging any future matches—if we did not do this, we would be up for millions each time we hosted an event, in order to put up the temporary facilities.⁵⁶

- 2.51 The Committee asked the Treasurer about anticipated investment in, and revenue from, the media centre.⁵⁷ In responding, the Treasurer told the Committee that the media centre would cost approximately \$13 million and that revenue streams were expected to be approximately \$100,000 per year.⁵⁸

COMMITTEE COMMENT

- 2.52 In connection with hearings in which the Chief Minister and Treasurer appeared, the Committee seeks to make comment in one area which was discussed.
- 2.53 The Committee notes testimony provided to it that the ACT government had in the 2017-18 Budget allocated funding to the ACT Ombudsman over four years, and that the additional \$615,000 appropriation made in the Appropriation Bill 2017-18 (No.2) was additional funding while government assessed the true costs of implementing the scheme.⁵⁹
- 2.54 The Committee expects that further additional appropriations to the ACT Ombudsman will be necessary in future if the Report Conduct Scheme is to be properly implemented and supported.

⁵⁵ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.4.

⁵⁶ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.4.

⁵⁷ *Proof Transcript of Evidence*, 9 March 2018, p.4.

⁵⁸ Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 9 March 2018, p.4.

⁵⁹ Ms Kathy Leigh, *Proof Transcript of Evidence*, 9 March 2018, p.12.

3 EDUCATION

3.1 The Minister for Education, Ms Yvette Berry MLA, appeared before the Committee with her officers in hearings of 9 March 2018.

LAPTOPS IN SCHOOLS

3.2 In hearings, the Committee asked questions regarding a program under which the ACT government will provide laptops to secondary students in public schools.⁶⁰

3.3 In response to questions, the Chief Information Officer, Education Directorate, told the Committee that:

- the devices were Acer Spin 11 Chromebooks, supplied at a unit cost of approximately \$450 each;
- that they were being bought outright, and came with a 12 month warranty;
- that the warranty provided for replacement where a device is delivered and is inoperable within the first two weeks;
- that there was a '24-hour response time for warranty call-outs to the schools'; if 'it can be fixed through a simple mechanism, it is within the warranty to do so; if it cannot, 'it will be replaced in the first 12 months';
- that the devices have a three-year life expectancy; and
- that after the expiration of the warranty period, schools would have access to a pool of further devices to provide replacements in the second and third years of the life-expectancy of the devices.⁶¹

3.4 The Committee asked further questions about replacement of devices where necessary. In responding, the Chief Information Officer told the Committee:

Schools negotiate with families on a regular basis around the use of their assets that the school and the students use. If it is an incidence of malicious damage then the parent might be asked to make a contribution to the replacement of that device—where the student has maliciously done something to it. Where it has been

⁶⁰ See ACT Education Directorate, 'Better Schools for Our Kids: Technology Enabled Learning', viewed 14 March 2018, available from: https://www.education.act.gov.au/teaching_and_learning/learn-anywhere-ict-for-students/better-schools-for-our-kids-technology-enabled-learning

⁶¹ Mr Mark Huxley, *Proof Transcript of Evidence*, 9 March 2018, p.16.

inadvertent, careless—if it is a pattern of behaviour then the school is in a position to make a local decision on whether they should best replace that device.⁶²

- 3.5 In response to a further question about arrangements where parents were not able to make a contribution toward the cost of replacement,⁶³ the Minister responded, telling the Committee that schools ‘would make a decision based on the family’s needs’ and that:

If there was a problem where there was a family that was unable to manage a contribution or there was something going on with that family or the child or whatever, the school would provide the supports and provide a second, or a third in the unfortunate circumstance that that could occur. There are Chromebooks available to replace, in situations like that, should it [be necessary].⁶⁴

- 3.6 When asked the percentage of excess devices being ordered initially, to anticipate such requirements,⁶⁵ the Chief Information Officer told the Committee that the program had ‘left an estimated five per cent contingency for each school to manage locally’.⁶⁶

- 3.7 When asked whether further additional devices could be acquired at the quoted \$450 unit-cost, if required, the Chief Information Officer told the Committee that:

We have a panel arrangement available through the territory, which is managed by Chief Minister’s, in shared services, and we have taken advantage of that. That is still available to us, moving forward.⁶⁷

- 3.8 At this point, the Committee then asked about performance measures for the program.⁶⁸

- 3.9 In responding, the Chief Information Officer told the Committee:

We are exploring those at the moment. The big focus, though, is on equity of access for all students. Equity will be a fundamental measure of the success of the initiative going forward. The reason is that a significant number of the things that students are asked to do on a day-to-day basis are online. The Australian curriculum is online. Digital curriculum resource materials to support the Australian curriculum are online. Things like Wikipedia, Khan Academy and a whole range of resources kids use to do their research, their assignments and their tasks are all online, and increasingly even our

⁶² Mr Mark Huxley, *Proof Transcript of Evidence*, 9 March 2018, p.18.

⁶³ *Proof Transcript of Evidence*, 9 March 2018, p.18.

⁶⁴ Ms Yvette Berry MLA, *Proof Transcript of Evidence*, 9 March 2018, p.18.

⁶⁵ *Proof Transcript of Evidence*, 9 March 2018, pp.18-19.

⁶⁶ Mr Mark Huxley, *Proof Transcript of Evidence*, 9 March 2018, p.19.

⁶⁷ Mr Mark Huxley, *Proof Transcript of Evidence*, 9 March 2018, p.19.

⁶⁸ *Proof Transcript of Evidence*, 9 March 2018, p.19.

testing is moving online. To ensure that every student has equitable access to that device is an absolutely key fundamental deliverable under the implementation. We see it as, increasingly, an essential piece of the day-to-day of how a school operates and functions. So that will be the base measure. A range of other variables come into student improvement and performance. Providing a device is one thing, but teacher quality and a whole range of other factors at the school level feed into that.⁶⁹

3.10 In response to this testimony, the Committee asked whether the program was viewed as a measure to improve equity, or whether it was expected to increase educational achievement.⁷⁰

3.11 In reply, the Minister told the Committee that:

Because of the equity measure, it will undoubtedly improve academic performance for all kids, because they will all have the same device.⁷¹

3.12 She went on to say:

They will all have the same device, and that means teachers will be able to spend more time with students rather than being an expert across a whole bunch of different devices. There will be one device that works with the systems in our schools. The outcomes could be measured as a result of this, because teachers will have more time to spend with individual students ...⁷²

3.13 At this point, the Director-General, Education Directorate, also responded. She told the Committee that:

we expect that, in the main, this is about demonstrating access to digital technologies. For that reason it is, first and foremost, an equity measure around access, so that all young people and secondary students can participate in the same sorts of learning experiences.⁷³

3.14 She went on to say that:

Within the Australian curriculum there are elements of what we call the general capabilities—skills like problem solving, digital citizenship, confidence with the use of ICT technologies. We would be looking at our evaluation being able to demonstrate that those competencies are being met by students. That is an area that we are looking

⁶⁹ Mr Mark Huxley, *Proof Transcript of Evidence*, 9 March 2018, pp.19-20.

⁷⁰ *Proof Transcript of Evidence*, 9 March 2018, p.20.

⁷¹ Ms Yvette Berry MLA, *Proof Transcript of Evidence*, 9 March 2018, p.20.

⁷² Ms Yvette Berry MLA, *Proof Transcript of Evidence*, 9 March 2018, p.20.

⁷³ Ms Natalie Howson, *Proof Transcript of Evidence*, 9 March 2018, p.20.

at more broadly, in the way in which we are considering assessment in ACT schools. We would also be looking at measures around teachers' confidence and changes in pedagogical practice as a result of universal access to these platforms.⁷⁴

3.15 When asked again whether the program was expected to improve student performance, the Director-General told the Committee that:

with the contribution of that particular platform to developing general capabilities that exist within the Australian curriculum, we would expect to see some improvement there. But this is a new area of assessment and it is something that we are building a baseline around at the moment.⁷⁵

WORKS AT NARRABUNDAH COLLEGE AND CAMPBELL PRIMARY SCHOOL

3.16 In hearings, the Committee asked questions regarding building works at Narrabundah College and Campbell Primary School.⁷⁶

3.17 In part, the works are a response to the presence of asbestos in school buildings at these sites.⁷⁷

WORKS AT CAMPBELL

3.18 With regard to works at Campbell Primary School, the Director Infrastructure and Capital Works, Education Directorate, told the Committee that:

The current status of Campbell Primary School is that five transportable buildings have been delivered and have been occupied by students from day one of term 1. The two-storey aged building has been demolished and that site has been rehabilitated.⁷⁸

⁷⁴ Ms Natalie Howson, *Proof Transcript of Evidence*, 9 March 2018, p.20.

⁷⁵ Ms Natalie Howson, *Proof Transcript of Evidence*, 9 March 2018, p.20.

⁷⁶ *Proof Transcript of Evidence*, 9 March 2018, p.21.

⁷⁷ See ACT Education Directorate, 'Building Facilities and Better Schools for our Kids Program', viewed 15 March 2018, available at: https://www.education.act.gov.au/about_us/building-facilities See also Michael Inman, 'Narrabundah College and Cambell (*sic*) Primary school to be partially demolished due to asbestos', Canberra Times, 16 October 2017, viewed 15 March 2018, available at: <http://www.canberratimes.com.au/act-news/narrabundah-college-and-cambell-primary-school-to-be-partially-demolished-due-to-asbestos-20171012-gyzqwn.html>

⁷⁸ Mr John Nakkam, *Proof Transcript of Evidence*, 9 March 2018, p.21.

3.19 When asked about what rehabilitation measures had been adopted,⁷⁹ the Director told the Committee:

We have cleared the site. It is fenced off at the moment, and we are laying turf on that space.⁸⁰

3.20 When asked whether the building demolished would be replaced, the Director told the Committee:

We are going out to the community and the school to determine what the next step is—the best way to construct and design an educational facility for the rest of the school.⁸¹

3.21 At this point the Director-General and the Minister confirmed that the buildings would be replaced.⁸²

3.22 When asked if it was the case that there was not yet a plan for replacement buildings, the Director told the Committee:

That is right; we are in consultation with the community.⁸³

3.23 The Director-General also responded to the question. She told the Committee:

We have a plan that the buildings will be replaced. What we are consulting with the community about is the form and nature.⁸⁴

3.24 At this point the Committee asked whether it was the case that money had been appropriated for new building, but there was no clear design for buildings.⁸⁵

3.25 In response, the Minister told the Committee that this was not the case, and that a ‘lot of that was for the transportable classrooms’.⁸⁶

3.26 When asked whether the appropriation included new building works,⁸⁷ the Director-General responded. She told the Committee that:

⁷⁹ *Proof Transcript of Evidence*, 9 March 2018, p.21

⁸⁰ Mr John Nakkan, *Proof Transcript of Evidence*, 9 March 2018, p.21.

⁸¹ Mr John Nakkan, *Proof Transcript of Evidence*, 9 March 2018, p.21.

⁸² Ms Natalie Howson, Ms Yvette Berry MLA, *Proof Transcript of Evidence*, 9 March 2018, p.21.

⁸³ Mr John Nakkan, *Proof Transcript of Evidence*, 9 March 2018, p.21.

⁸⁴ Ms Natalie Howson, *Proof Transcript of Evidence*, 9 March 2018, p.21.

⁸⁵ *Proof Transcript of Evidence*, 9 March 2018, p.21.

⁸⁶ Ms Yvette Berry MLA, *Proof Transcript of Evidence*, 9 March 2018, p.21.

⁸⁷ *Proof Transcript of Evidence*, 9 March 2018, p.21.

This appropriation includes our capacity to do the feasibility and design for the new building. It also includes the cost of establishing the transportables and demolishing the buildings that are problematic.⁸⁸

- 3.27 When the Committee asked whether most of that work had already been done, at Campbell,⁸⁹ the Director Infrastructure and Capital Works confirmed that this was the case.⁹⁰
- 3.28 When the Committee asked whether funds for the demolition of buildings at Campbell had already been appropriated, the Director-General stated that this was ‘a matter for budget’.⁹¹
- 3.29 In response to further questions, she confirmed that funds expended in demolition works at Campbell had not yet been appropriated.⁹²
- 3.30 At this point, the Committee sought further clarification, asking whether it was the case that the money for demolition works at Campbell had been expended without appropriation.⁹³
- 3.31 In response, the Director-General told the Committee that:

To be precise, \$1.2 million was appropriated, for the feasibility and design work for the future. We are cash managing—you are correct—the demolition of Campbell Primary School and the procurement of the demountables. We are able to do that in Education because of the size of our capital works program. The appropriation is attributed to these particular projects in order to restore the funding that is available for other capital works.⁹⁴

- 3.32 At a later point in the hearing, the Director-General added to this response. She told the Committee that:

in terms of your previous question, there is something I should have mentioned. It does not go to answering your question about the cash management issue. In the budget papers for 2017-18 we did have provisioning for the construction of the new builds in Narrabundah and Campbell. It was not for publication, for obvious reasons around procurement, but the provisioning is there.⁹⁵

⁸⁸ Ms Natalie Howson, *Proof Transcript of Evidence*, 9 March 2018, p.22.

⁸⁹ *Proof Transcript of Evidence*, 9 March 2018, p.22.

⁹⁰ Mr John Nakkam, *Proof Transcript of Evidence*, 9 March 2018, p.22.

⁹¹ Ms Natalie Howson, *Proof Transcript of Evidence*, 9 March 2018, p.22.

⁹² Ms Natalie Howson, *Proof Transcript of Evidence*, 9 March 2018, p.22.

⁹³ *Proof Transcript of Evidence*, 9 March 2018, p.23.

⁹⁴ Ms Natalie Howson, *Proof Transcript of Evidence*, 9 March 2018, p.23.

⁹⁵ Ms Natalie Howson, *Proof Transcript of Evidence*, 9 March 2018, p.25.

WORKS AT NARRABUNDAH

3.33 Following the above discussion, the Committee asked questions about building works at Narrabundah College.⁹⁶

3.34 In responding, the Director Infrastructure and Capital Works told the Committee that:

Narrabundah College is obviously much larger and significantly more complex. It deals with three two-storey buildings on the campus. Those buildings contain not just standard learning areas but science labs and art spaces. They are still in use at the moment. The project is to deliver approximately 25 transportable buildings onto the oval site, and as of this week the first building has arrived. They will be progressively delivered and installed over this term and throughout term 2.⁹⁷

3.35 The Minister also responded to the question. She told the Committee that:

The difference with these ones is that a particular type of building has been required, as they are specialised buildings. There has been more to it than with the Campbell school transportables.⁹⁸

3.36 She told the Committee that:

There has already been significant consultation with both school communities. The Campbell school community have been very engaged on the future of their school and the upgrades that will occur going forward.⁹⁹

3.37 The Minister went on to say that:

Narrabundah is a little bit different because the school community is only there for a short period of time, but we will still engage with them, and the school teaching leaders are very engaged in the process as well. We will keep doing the same kinds of consultations there to make sure that students that come to that school in the future are involved in that as well.¹⁰⁰

3.38 When asked about time lines for consultation and new buildings, the Director Infrastructure and Capital Works told the Committee:

⁹⁶ *Proof Transcript of Evidence*, 9 March 2018, p.23.

⁹⁷ Mr John Nakkam, *Proof Transcript of Evidence*, 9 March 2018, p.23.

⁹⁸ Ms Yvette Berry MLA, *Proof Transcript of Evidence*, 9 March 2018, p.23.

⁹⁹ Ms Yvette Berry MLA, *Proof Transcript of Evidence*, 9 March 2018, pp.23-24.

¹⁰⁰ Ms Yvette Berry MLA, *Proof Transcript of Evidence*, 9 March 2018, p.24.

We expect to be consulting at Campbell throughout this year, and with Narrabundah for maybe another six months beyond this year.¹⁰¹

- 3.39 When asked about how long, it was anticipated, demountables would be required at the Campbell and Narrabundah sites, the Director told the Committee:

We would expect a three to five-year sightline.¹⁰²

- 3.40 When asked about connectivity between demountables and protection against weather during cooler periods of the year, the Director-General told the Committee that:

Ironically, these buildings that we are bringing in, the transportables, will be more efficient in terms of providing comfortable learning spaces for students. In that respect they will be better classrooms, better learning spaces. The buildings are being connected through covered walkways and boardwalks. The way in which we are putting in this temporary accommodation will accommodate those sorts of issues.¹⁰³

COMMONWEALTH FUNDING TO INDEPENDENT SCHOOLS VIA THE EDUCATION DIRECTORATE

- 3.41 The Committee asked whether there had been any changes to present arrangements in which funds are provided by the Commonwealth and distributed by the Education Directorate to ACT independent schools.¹⁰⁴

- 3.42 In response, the Director-General told the Committee:

Not at this stage. In terms of the appropriation that flows through our budget to the independent sector for this calendar year, the federal government have maintained the existing arrangements. They are negotiating for an appropriate transition, in accordance with their new model, I believe to commence from 2019.¹⁰⁵

- 3.43 When asked what funds are in fact distributed by the Education Directorate from the the Commonwealth to independent schools, the Director-General told the Committee that:

¹⁰¹ Mr John Nakkam, *Proof Transcript of Evidence*, 9 March 2018, p.24.

¹⁰² Mr John Nakkam, *Proof Transcript of Evidence*, 9 March 2018, p.24.

¹⁰³ Ms Natalie Howson, *Proof Transcript of Evidence*, 9 March 2018, p.25.

¹⁰⁴ *Proof Transcript of Evidence*, 9 March 2018, p.25.

¹⁰⁵ Ms Natalie Howson, *Proof Transcript of Evidence*, 9 March 2018, p.25.

All the funding that flows through from the commonwealth, their 80 per cent contribution or thereabouts, goes through our books to the non-government sector.¹⁰⁶

3.44 At this point, the Committee asked questions regarding a rollover of \$263,000 against the item ‘National Partnership — Independent Public Schools’, displayed in the *2017-18 Supplementary Budget Papers* which accompany the Appropriation Bill 2017-18 (No. 2).¹⁰⁷

3.45 A ‘rollover’ is defined in Section 16B of the *Financial Management Act 1996* (ACT). Under the Act, the term refers to ‘an amount of appropriation if, at the end of the financial year in which the appropriation is made, the amount is not disbursed to the territory entity to which it is appropriated’ and which, under Section 16B (2), the Treasurer provides authorisation for that amount to be ‘disbursed in the following year’ to the territory entity to which it was appropriated. Without such authorisation, funds appropriated — under an appropriation bill or ‘budget’ — are to be expended within the period covered by the bill.¹⁰⁸

3.46 In responding to the question, the Director-General told the Committee that these were:

attributed to specific initiatives within the national partnership agreements ... that have not been completely delivered yet.¹⁰⁹

3.47 She told the Committee that:

There is no discretion; it is simply that the programs have not been completed yet, so the rollover is provided for that reason.¹¹⁰

3.48 When asked whether these rollovers were due to go to schools or were for administration, the Director-General told the Committee that:

should say first that I would need to look at the details of the national partnership agreements, but they are always generally associated with funding that flows through to the schools; or, in the case of the national partnership agreement in relation to the national quality framework, that funding would probably be available for the administration of the national quality framework—the regulatory component of that.¹¹¹

¹⁰⁶ Ms Natalie Howson, *Proof Transcript of Evidence*, 9 March 2018, p.25.

¹⁰⁷ 2017-18 Supplementary Budget Papers, ‘Table 43: Changes to appropriation – Controlled Recurrent Payments’, p.61, viewed 15 March 2018, available at: https://apps.treasury.act.gov.au/_data/assets/pdf_file/0008/1163987/2017-18-Supplementary-Budget-Papers.pdf

¹⁰⁸ Financial Management Act 1996 (ACT), Section 16B (1) & (2), viewed 15 March 2018, available at: <http://www.legislation.act.gov.au/a/1996-22/current/pdf/1996-22.pdf>

¹⁰⁹ Ms Natalie Howson, *Proof Transcript of Evidence*, 9 March 2018, p.25.

¹¹⁰ Ms Natalie Howson, *Proof Transcript of Evidence*, 9 March 2018, p.26.

¹¹¹ Ms Natalie Howson, *Proof Transcript of Evidence*, 9 March 2018, p.26.

COMMITTEE COMMENT

- 3.49 The Committee seeks to make comment in three areas considered in the course of hearings with the Minister for Education and her officers.
- 3.50 First, it considers that it would be beneficial if the Education Directorate were to put further effort into forward planning for projects such as the removal and replacement of asbestos-affected buildings at Campbell Primary School and Narrabundah College. The Committee is aware that there has been awareness of the need for these projects over an extended period of time, and that long timelines such as these could provide the basis for smoother transitions in such projects.
- 3.51 Second, the Committee notes that it was provided with equivocal answers to its questions as to whether money had been expended—in connection with demolition work at Campbell Primary School—before it was appropriated. The Committee considers that the appropriation process — in which money proposed for expenditure by government is considered, debated, and voted on by the Legislative Assembly — is an integral part of our political system, and is essential to financial probity in government. In view of this the Committee wishes to put the view that future expenditures should clearly follow appropriations for that purpose, rather than the reverse.
- 3.52 Third, the Committee notes the implementation of a project to provide laptops to ACT public school students from Year 7 to Year 11 inclusive, without clear criteria for review or for what could be considered ‘success’ in terms of the project. The Committee notes that best practice involves formulating success criteria for projects before implementation, and considers that this should be the approach taken in the future.
- 3.53 In light of this, the Committee makes the following recommendation.

Recommendation 1

- 3.54 The Committee recommends that ACT government agencies, including the ACT Education Directorate, develop criteria for review and criteria for success for future projects prior to procurement and implementation.**

4 HEALTH DIRECTORATE

- 4.1 The Minister for Health, Ms Meegan Fitzharris MLA, appeared before the Committee in hearings of 14 March 2018 for the purposes of the present inquiry.

ELECTIVE SURGERY

- 4.2 In her opening statement, the Minister for Health stated that the Appropriation Bill 2017-18 (No.2) included:

a \$6.4 million funding boost to elective surgery, which will see 600 additional patients receive treatment within recommended time frames this year, and help ACT Health achieve more than 13,000 elective surgeries in this financial year. This will be accomplished by delivering more surgeries in the public and private systems by increasing the allocation of operating sessions to specialties with high demand, such as paediatric and adult general surgery, orthopaedic surgery, urology and gynaecological surgery.¹¹²

- 4.3 She went on to say in her opening statement that:

As the region and our city continue to grow, the demand for health services, including elective surgery, as you all know, is increasing. This will continue to put some pressure on wait times. That is why there is also a longer term plan to manage elective surgery.¹¹³

- 4.4 In hearings, the Committee asked questions regarding this \$6.4 million funding for elective surgery.¹¹⁴ In particular, it asked whether this would take place over the following three months, which the Minister confirmed.¹¹⁵

- 4.5 The Committee also asked how ACT Health proposed to identify and service the additional 600 surgery patients over that timeframe.¹¹⁶

¹¹² Ms Meegan Fitzharris MLA, *Proof Transcript of Evidence*, 14 March 2018, p.28, viewed 15 March 2018, available at: <http://www.hansard.act.gov.au/hansard/2017/comms/pac14.pdf>

¹¹³ Ms Meegan Fitzharris MLA, *Proof Transcript of Evidence*, 14 March 2018, p.28, viewed 15 March 2018, available at: <http://www.hansard.act.gov.au/hansard/2017/comms/pac14.pdf>

¹¹⁴ *Proof Transcript of Evidence*, 14 March 2018, p.29. This item is listed in the *2017-18 Supplementary Budget Papers*, p.5 as 'Better care when you need it—More surgeries', for an appropriation of \$6,372,000.

¹¹⁵ Ms Meegan Fitzharris MLA, *Proof Transcript of Evidence*, 14 March 2018, p.29.

¹¹⁶ *Proof Transcript of Evidence*, 14 March 2018, p.29.

- 4.6 In responding to the question, the Deputy Director-General — Canberra Hospital Health Service, told the Committee that:

We will be using all of the private sector that has capacity to assist us in delivering these services. We are using Calvary Public Hospital in Bruce, and, in a small number of cases, TCH, where we have identified that we have the workforce to deliver these services. We have a process in train where we have already started looking at these patients, to get the work undertaken by 30 June.¹¹⁷

- 4.7 When asked why a small number of the additional surgeries would take place at the Canberra Hospital, the Deputy Director-General told the Committee that:

We have 13 theatres, and we have one theatre allocated for life or death situations, mainly obstetrics and trauma. We have four theatres allocated to unplanned surgery—the stuff that comes in through the emergency department—and eight theatres allocated for elective surgery. We have very little capacity in those eight theatres for elective surgery between now and the end of the year. Most of the sessions are allocated out. That is why there is only small growth in that area.¹¹⁸

- 4.8 The Committee asked a question as to the span of session times for these eight theatres, and whether extending session times had been considered to allow a greater number of the additional surgeries to take place at the Canberra Hospital.¹¹⁹

- 4.9 In responding, the Deputy Director-General told the Committee that sessions at Canberra Hospital were currently scheduled from 8.00 am to 5.00 pm. He told the Committee that there had been consideration of extending those times, but that there was:

lots of evidence to suggest that, with running theatres into the evening, you start to compromise safety because a lot of your backup resources on the campus actually are not present.¹²⁰

- 4.10 He told the Committee that there was 'lots of international research to suggest that that is not the best way to go about delivering elective surgery'.¹²¹

¹¹⁷ Mr Chris Bone, *Proof Transcript of Evidence*, 14 March 2018, p.29.

¹¹⁸ Mr Chris Bone, *Proof Transcript of Evidence*, 14 March 2018, p.30.

¹¹⁹ *Proof Transcript of Evidence*, 14 March 2018, p.30.

¹²⁰ Mr Chris Bone, *Proof Transcript of Evidence*, 14 March 2018, p.30.

¹²¹ Mr Chris Bone, *Proof Transcript of Evidence*, 14 March 2018, p.30.

DATA WAREHOUSE

- 4.11 In hearings, the Committee asked questions regarding a data warehouse project provided for in the Appropriation Bill 2017-18 (No. 2).¹²²
- 4.12 When asked about the role of the data warehouse, the Deputy Director-General, Performance, Reporting and Data, told the Committee that:
- The data warehouse is a significant investment and part of the system-wide review. It will enable us to provide conduits for our source systems, to provide a store of data that is comprehensive, robust and assured.¹²³
- 4.13 When asked as to the nature and purpose of a data warehouse, the Deputy Director-General told the Committee that it was ‘essentially ...a data repository’, which ‘utilises cloud storage facilities’ to create ‘a secure way of holding government or commercial data’.¹²⁴
- 4.14 When asked to what extent the data warehouse would hold historical data, the Deputy Director-General told the Committee that:
- Essentially, the data warehouse will become our new data source for the information that we hold. We hold a number of financial years of information. I can take the “how far back” on notice. Essentially, it will be the main store of government data. ACT Health is following the broader ACT government strategy on data.¹²⁵
- 4.15 When asked for clarification on its relationship to larger data warehousing in the ACT public sector, the Deputy Director-General told the Committee that:
- It is a subset of the larger ACT government warehouse. ACT Health data is about 60 per cent of the data that we hold as a government. Essentially, we are leveraging off the whole system and a whole-of-government approach for the warehouse by the chief digital officer.¹²⁶
- 4.16 When asked about distinctive characteristics of the data warehouse, the Deputy Director-General told the Committee that:
- It is bringing best practice data management to the government. It is providing an assured platform for information storage and retrieval from our source systems—our

¹²² *Proof Transcript of Evidence*, 14 March 2018, p.30. This item is listed in the *2017-18 Supplementary Budget Papers*, p.5 as ‘Better care when you need it – New ACT Health data warehouse’, for an appropriation of \$1,506,000.

¹²³ Mr Lynton Norris, *Proof Transcript of Evidence*, 14 March 2018, p.30.

¹²⁴ Mr Lynton Norris, *Proof Transcript of Evidence*, 14 March 2018, p.30.

¹²⁵ Mr Lynton Norris, *Proof Transcript of Evidence*, 14 March 2018, p.30.

¹²⁶ Mr Lynton Norris, *Proof Transcript of Evidence*, 14 March 2018, p.31.

patient systems. It enables us to provide an online requirement to access that information for analysis and patient care.¹²⁷

4.17 At this point, the Committee asked how the Directorate would ensure that it was collecting the right data in the warehouse, noting the principle of ‘garbage in, garbage out’ where this was not provided for.¹²⁸

4.18 In responding, the Deputy Director-General told the Committee that:

The way to manage data is essentially to provide good governance requirements over the collection of that data and also system integrity processes. A lot of those processes are the subject of the system-wide data review. Essentially, that has enabled a range of immediate remediations, as well as a longer term plan to bring best practice data governance to the territory.¹²⁹

4.19 The Deputy Director-General went on to agree with the proposition that a data warehouse is ‘just a repository’ and was ‘only as good as the stuff that is in it’, telling the Committee that ‘the data warehouse is like a warehouse’; it stores [data]’.¹³⁰

4.20 He went on to tell the Committee that:

What it enables, at a much cheaper price and in a much more secure environment that maintains modern technology and security arrangements, is a leverageable data source. Going forward, we are seeing a significant amount of data every year, as the years increase, and this is a new platform for the industry. It is happening with iPhones, iTunes and all the rest of it. Essentially, it is a place where we can leverage that storage at a very low price.¹³¹

4.21 When asked whether the data warehouse model allowed for readily expandable capacity, the Deputy Director-General told the Committee that:

Through CMTEED and the chief digital officer, state-wide, or territory-wide, storage will be managed. You do not have to have the same physical infrastructure requirements that you once had, in the sense that it is all part of the magical cloud.¹³²

¹²⁷ Mr Lynton Norris, *Proof Transcript of Evidence*, 14 March 2018, p.31.

¹²⁸ *Proof Transcript of Evidence*, 14 March 2018, p.31.

¹²⁹ Mr Lynton Norris, *Proof Transcript of Evidence*, 14 March 2018, p.31.

¹³⁰ Mr Lynton Norris, *Proof Transcript of Evidence*, 14 March 2018, p.31.

¹³¹ Mr Lynton Norris, *Proof Transcript of Evidence*, 14 March 2018, pp.31-32.

¹³² Mr Lynton Norris, *Proof Transcript of Evidence*, 14 March 2018, p.32.

4.22 He went on to say that:

Really, what it does is to provide a secure data source for our source systems that will enable nation-leading analytics to be brought into this territory.¹³³

4.23 At this point the Committee asked about implementation time-lines for the data warehouse.¹³⁴

4.24 In responding, the Deputy Director-General told the Committee that:

It will be delivered in two phases. The first phase will be completed by the end of the review. That is establishment and looking at live emergency department data, and seeing how that can be provided to consumers; then, as we work through, it is a commissioning process to bring together the other source datasets and decommission our old physical servers, in the data warehouse environment.¹³⁵

PROCUREMENT OF ELECTIVE SURGERY PROVIDERS

4.25 In hearings, the Committee asked questions regarding procurement procedures for obtaining the services of surgeons for its elective surgery initial, considered above. In particular, the Committee asked how ACT Health went about obtaining these services.¹³⁶

4.26 In responding, the Deputy Director-General — Canberra Hospital Health Service, told the Committee that:

We have a panel of providers. We went out in mid-2017 seeking expressions of interest from providers within the territory to submit their application through this open-panel process. They indicated which specialties they could offer services in. That got signed off at the end of 2017. So we used that panel of providers to go out and ask them to do the work at a price.¹³⁷

4.27 When asked whether the members of the panel were listed on the ACT government procurement website, the Deputy Director-General took the question on notice.¹³⁸

¹³³ Mr Lynton Norris, *Proof Transcript of Evidence*, 14 March 2018, p.32.

¹³⁴ *Proof Transcript of Evidence*, 14 March 2018, p.32.

¹³⁵ Mr Lynton Norris, *Proof Transcript of Evidence*, 14 March 2018, p.32.

¹³⁶ *Proof Transcript of Evidence*, 14 March 2018, p.32.

¹³⁷ Mr Chris Bone, *Proof Transcript of Evidence*, 14 March 2018, p.32.

¹³⁸ *Proof Transcript of Evidence*, 14 March 2018, p.32.

4.28 When asked whether these services were engaged by way of a procurement process or individual staff contracts,¹³⁹ the Deputy Director-General told the Committee that they were obtained through a procurement process.¹⁴⁰

4.29 At this point, the Committee asked about reimbursement for travel for providers of such services, and whether it would be possible for a provider external to the Territory to make a low bid, and then make up any difference by claiming travel allowances.¹⁴¹

4.30 In responding, the Deputy Director-General told the Committee that:

We seek for them to provide a number of occasions of service, at a price, and that price covers everything. So we would not negotiate on travel costs for people that they employ.¹⁴²

4.31 In answer to further questions, the Deputy Director-General confirmed that travel allowances or refunds of travel expenses, for surgeons or any other provider on the panel, would be included 'within the price' paid for their services, rather than additional payments or reimbursements for travel.¹⁴³

REPLACEMENT OF CLADDING ON CENTENARY HOSPITAL FOR WOMEN AND CHILDREN

4.32 In hearings, the Committee asked questions regard the removal and replacement of polyethylene aluminium composite panels from the façade of the Centenary Hospital for Women and Children at Canberra Hospital.¹⁴⁴

4.33 In particular, the Committee asked whether removal of the cladding, due to high fire risk, had been completed as planned by the end of 2017.¹⁴⁵

¹³⁹ *Proof Transcript of Evidence*, 14 March 2018, p.32.

¹⁴⁰ Mr Chris Bone, *Proof Transcript of Evidence*, 14 March 2018, p.32.

¹⁴¹ *Proof Transcript of Evidence*, 14 March 2018, p.32.

¹⁴² Mr Chris Bone, *Proof Transcript of Evidence*, 14 March 2018, p.33.

¹⁴³ Mr Chris Bone, *Proof Transcript of Evidence*, 14 March 2018, p.33.

¹⁴⁴ *Proof Transcript of Evidence*, 14 March 2018, p.33. This item is listed in the *2017-18 Supplementary Budget Papers*, p.5 as 'Better care when you need it – Replacement of polyethylene aluminium composite panels – Centenary Hospital for Women and Children', for a capital injection of \$1,625,000.

¹⁴⁵ *Proof Transcript of Evidence*, 14 March 2018, p.33.

4.34 In responding, the Minister confirmed that there had been a plan to remove the cladding by the end of 2017, but not to replace it, within that time-frame.¹⁴⁶

4.35 The Acting Deputy Director-General, Corporate, ACT Health also responded to the question. She told the Committee that:

the program of works for the replacement of the panelling on the women's and children's hospital commenced on 20 February this year. At this stage it is proposed to be completed in July this year, but that is conditional on a number of factors. Weather always is a factor in these works.¹⁴⁷

4.36 She also told the Committee that because there was 'a lot of demand at the moment for the replacement panelling, the provision of those panels will also be a determining factor on the time lines'.¹⁴⁸

4.37 When asked whether difficulties in sourcing panels to replace existing panels had been the reason why the end of 2017 deadline had not been met, the Acting Deputy Director-General told the Committee that:

It is not as simple as that. There was a process that was being gone through to determine the most appropriate and safest way to remove and replace the panels.¹⁴⁹

4.38 At this point the Committee asked questions as to what challenges had arisen which had prevented removal of panels before 31 December 2017.¹⁵⁰

4.39 In response, the Acting Deputy Director-General told the Committee that:

we went through a process with expert consultants to look at the safest and most appropriate way to remove the panels, and also to manage the continuing operation of the hospital and the safety of patients and visitors to the hospital through that process. That involved doing a trial of removing and replacing three sets of panels, to begin to see the most appropriate way of doing that. After that process, after we established the best way to remove the panels, we then went out to tender for a contractor to come in and do the full job.¹⁵¹

¹⁴⁶ Ms Meegan Fitzharris MLA, *Proof Transcript of Evidence*, 14 March 2018, p.33.

¹⁴⁷ Ms Karen Doran, *Proof Transcript of Evidence*, 14 March 2018, p.33.

¹⁴⁸ Ms Karen Doran, *Proof Transcript of Evidence*, 14 March 2018, p.33.

¹⁴⁹ Ms Karen Doran, *Proof Transcript of Evidence*, 14 March 2018, p.33.

¹⁵⁰ *Proof Transcript of Evidence*, 14 March 2018, p.33.

¹⁵¹ Ms Karen Doran, *Proof Transcript of Evidence*, 14 March 2018, p.34.

4.40 She told the Committee that, following the tender process, the contract had been awarded in December 2017.¹⁵²

4.41 At this point the Committee sought to clarify whether the panels had or had not been removed from the façade of the Centenary Hospital.¹⁵³

4.42 In responding, the Acting Deputy Director-General told the Committee that:

We are in the process now of undertaking the full job of removing and replacing the panels.¹⁵⁴

4.43 When asked whether the process involved ‘remove and replace as you go’ rather than ‘remove and then come back and replace them’, the Acting Deputy Director-General confirmed that this was so.¹⁵⁵

4.44 When asked whether there were sufficient panels on-hand to complete the replacement process, the the Acting Deputy Director-General told the Committee that this had been identified ‘as a potential risk to the timing of the job’.¹⁵⁶

4.45 At this point, the Director-General of ACT Health also responded to this line of questioning. She told the Committee that:

It is also very important to know in this context that we have extensive fire safety, emergency procedures and evacuation plans in place at the Centenary hospital to ensure the ongoing safety of both staff and patients in the event that something—God forbid—does happen. Notwithstanding that this process will be ongoing, the safe and orderly protection of staff and patients is our main concern, and I believe we have extensively ensured the safety of our patients to the best of our ability.¹⁵⁷

¹⁵² Ms Karen Doran, *Proof Transcript of Evidence*, 14 March 2018, p.34.

¹⁵³ *Proof Transcript of Evidence*, 14 March 2018, p.34.

¹⁵⁴ Ms Karen Doran, *Proof Transcript of Evidence*, 14 March 2018, p.34.

¹⁵⁵ Ms Karen Doran, *Proof Transcript of Evidence*, 14 March 2018, p.34.

¹⁵⁶ Ms Karen Doran, *Proof Transcript of Evidence*, 14 March 2018, p.34.

¹⁵⁷ Ms Nicole Feely, *Proof Transcript of Evidence*, 14 March 2018, p.34.

COMMITTEE COMMENT

- 4.46 The Committee wishes to make comment on two areas considered in hearings with the Minister for Health and her officers.
- 4.47 First, the Committee notes that ACT Health provided a range of testimony regarding a project to remove and replace aluminium cladding panels at the Centenary Hospital for Women and Children, and whether and why stated timelines for the project had not been met. The Committee would welcome clearer answers on the status of current projects in the future.
- 4.48 Second, the Committee notes that it was not clear as to whether the procurement documents for service providers on an ACT Health procurement panel, to be drawn upon to support the ACT government initiative on elective surgery, had been published on the ACT government procurement website.
- 4.49 In light of this second matter, the Committee makes the following recommendation.

Recommendation 2

- 4.50 The Committee recommends that if procurement documents on service providers on a panel to support the Elective Surgery Wait List Reduction program are not published on the ACT government procurement website, that these documents be published on the website.**

Mrs Vicki Dunne MLA
Chair

Appendix A Witnesses

9 March 2018

Chief Minister and Treasury Directorate (CMTEDD)

- Mr Andrew Barr, Chief Minister, Treasurer, Minister for Economic Development and Minister for Tourism and Major Events
- Ms Kathy Leigh, Head of Service and Director-General, Chief Minister, Treasury and Economic Development Directorate
- Ms Leesa Croke, Deputy Director-General, Strategic Policy and Cabinet, Chief Minister, Treasury and Economic Development Directorate
- Mr Daniel Bailey, Executive Director, Procurement, Property and Venues, Chief Minister, Treasury and Economic Development Directorate

Education Directorate

- Ms Yvette Berry, Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Women and Minister for Sport and Recreation
- Ms Natalie Howson, Director-General, Education Directorate
- Mr Mark Huxley, Chief Information Officer, Education Directorate
- Mr John Nakkam, Director, Infrastructure and Capital Works, Education Directorate

16 March 2018

Health Directorate

- Ms Meegan Fitzharris, Minister for Health and Wellbeing, Minister for Transport and City Services and Minister for Higher Education, Training and Research.
- Ms Nicole Feely, Director-General, Health Directorate
- Ms Karen Doran, Deputy Director-General, Corporate, Health Directorate
- Mr Chris Bone, Deputy Director-General, Canberra Hospital and Health Services, Health Directorate

Appendix B Questions Taken on Notice

<i>Number</i>	<i>Date & page Proof Transcript</i>	<i>Member</i>	<i>Subject</i>	<i>Minister / Agency</i>	<i>Answered</i>
1 CMTEDD	9 March 2018, p.1.	Mrs Dunne MLA	‘there are a range of provisions in the supplementary appropriation. How many of those are election commitments? If they are election commitments, are they complete implementation as per the election commitment, or is there any variation from them?’	Mr Barr MLA, Treasury	20/03/18
2 CMTEDD	9 March 2018, p.3	Mr Coe MLA	‘Will you please provide some information about how you scoped the upgrade to facilities at Manuka?’	Mr Barr MLA, Treasury	20/03/18
3 CMTEDD	9 March 2018, p.5	Mrs Dunne MLA	‘For instance, when the world cup was here, what would it have cost to put up those facilities?’	Mr Barr MLA, Treasury	20/03/18
4 CMTEDD	9 March 2018, p.5	Mr Coe MLA	‘Could you take on notice, Chief Minister, a breakdown of that \$13 million in terms of construction, as opposed to the communications systems and the technology, and also— ... if there are any plans or artists’ impressions or something like that.’	Mr Barr MLA, Treasury	20/03/18
5 CMTEDD	9 March 2018, p.6	Mrs Dunne MLA	Borrowings – undertaking to provide reconciliation	Mr Barr MLA, Treasury	20/03/18
6 CMTEDD	9 March 2018, p.7	Mrs Dunne MLA	Details on re-profiling of debt	Mr Barr MLA, Treasury	22/03/18
7 CMTEDD	9 March 2018, p.8	Mrs Dunne MLA	GST: ‘Could you take on notice what makes up the \$155 million increase?’	Mr Barr MLA, Treasury	23/03/18

<i>Number</i>	<i>Date & page Proof Transcript</i>	<i>Member</i>	<i>Subject</i>	<i>Minister / Agency</i>	<i>Answered</i>
8 CMTEDD	9 March 2018, p.9	Mr Coe MLA	'There were about 280 such foreign investment outcomes in the ACT, according to the FIRB data. I will get that number; I think it was something like 274 or 278'.	Mr Barr MLA, Treasury	20/03/18
9 CMTEDD	9 March 2018, p.10	Mr Coe MLA	'Of those 280-odd properties, how many are units as opposed to standalone dwellings?'	Mr Barr MLA, Treasury	23/03/18
10 CMTEDD	9 March 2018, p.10	Mr Coe MLA	'an additional five remediated properties have been directly sold to an ACT government agency.' ... 'the prices that were paid; whether they are taking up the dual occupancy option; and whether they were previously put to the market'.	Mr Barr MLA, Treasury	20/03/18
11 CMTEDD	9 March 2018, p.3	Mr Coe MLA	'what are the features or specs of the media centre at Manuka Oval?'	Mr Barr MLA, Treasury	20/03/18
1 Education	9 March 2018, p.23	Mrs Dunne MLA	'How much money did you have hanging around waiting to be spent?' ... 'how much have you spent on demountables, demolition and rehabilitation at Campbell Primary School which was taken from somewhere else to cash manage ...'	Ms Berry MLA, Education	28/03/18

<i>Number</i>	<i>Date & page Proof Transcript</i>	<i>Member</i>	<i>Subject</i>	<i>Minister / Agency</i>	<i>Answered</i>
2 Education	9 March 2018, p.25	Mr Coe MLA	‘What funds actually do go through the directorate from the commonwealth with regard to our non-government schools?’ ... ‘If there was a rollover of those funds, what would be a cause of that?’ ... which are ‘attributed to specific initiatives within the national partnership agreements’?	Ms Berry MLA, Education	29/03/18
1 Health	14 March 2018, p.30	Mrs Dunne MLA	Elective Surgery: Can the Committee have a copy of the research around extending the hours of theatre time for elective surgery outside standard hours	Ms Fitzharris MLA, Health	20/03/18
2 Health	14 March 2018, p.30	Mrs Dunne MLA	Data Warehouse: How far back will information go	Ms Fitzharris MLA, Health	16/03/18
3 Health	14 March 2018, p.32	Mrs Dunne MLA	Data Warehouse: What is the timeframe for phase 2, when will it be complete	Ms Fitzharris MLA, Health	16/03/18
4 Health	14 March 2018, p.32	Mr Coe MLA	Elective Surgery: Are the Panel Members listed on the procurement website	Ms Fitzharris MLA, Health	16/03/18
5 Health	14 March 2018, p.34	Mrs Dunne MLA	Aluminium Composite Panels: Was there expert advice received to have the panels removed by the end of 2017	Ms Fitzharris MLA, Health	16/03/18
6 Health	14 March 2018, p.34	Mrs Dunne MLA	Aluminium Composite Panels: Why did ACT Health not order all the panels in preparation for replacement i.e. why is ACT Health replacing panels intermittently after removal	Ms Fitzharris MLA, Health	16/03/18

<i>Number</i>	<i>Date & page Proof Transcript</i>	<i>Member</i>	<i>Subject</i>	<i>Minister / Agency</i>	<i>Answered</i>
7 Health	14 March 2018, p.35	Mrs Dunne MLA	Aluminium Composite Panels: What are the new panes made of	Ms Fitzharris MLA, Health	16/03/18
8 Health	14 March 2018, p.35	Mrs Dunne MLA	Aluminium Composite Panels: How many panels will be removed	Ms Fitzharris MLA, Health	16/03/18
9 Health	14 March 2018, p.35	Mrs Dunne MLA	Aluminium Composite Panels: How will the panels be disposed of	Ms Fitzharris MLA, Health	16/03/18
[End]					