



Government Response to the Select Committee on Estimates 2007-2008

Tabling Statement

August 2007

Jon Stanhope MLA
Treasurer

Mr Speaker, I present the Government's Response to the Report of the Select Committee on Estimates 2007-2008. I thank the Committee, and its support staff, for the Report on the 2007-08 Appropriation Bill.

Mr Speaker, since the time of the Budget, the Government has received additional revenues in relation to population estimates, and the continuing growth of the property market. Much has been said by those opposite about the improvement in the budget position, and whether there was ever a need for reforms.

Mr Speaker, the answer is yes. Let's not forget the longstanding fiscal mismatch between the Territory's revenues and expenditures. Let's not forget the 31 per cent excess capacity in our schools. Let's not forget the Territory's superannuation costs trending towards the size of our health budget over the next decades. Let's not forget that we were living beyond our means.

It would be imprudent to undo the structural adjustment on the basis of three months of strong activity in the housing market. It would be irresponsible for this Government to unwind the important work that has already been done, on the basis of a spike in activity that may or may not be repeated in future years.

Mr Speaker, the existence of our surplus, and the size of it, have been applauded by, among others, the Liberal Senator for the ACT, Gary Humphries, who, on 666, described it as 'good news'. He went on to say

that the under-estimation about which his colleagues are so scathing, “might be regarded as good fiscal management”, and that “as far as keeping a large surplus in the ACT is concerned it’s a sensible decision”.

Mr Speaker the better-than-expected surplus has also been described by celebrity auditor Tony Harris – a man whose words the Liberals have in past treated as holy writ, “not a bad surplus for a city of 300-odd thousand people”.

Mr Speaker, in June the Government delivered a prudent Budget. It was a Budget that takes the Territory forward by providing support for high-priority areas of need, while continuing to exercise prudent fiscal restraint. Restraint *is* necessary to ensure the sustainability of our services to the community, and to provide for the needs of our future generations.

As I have previously stated in this Assembly, the significant returns delivered to the community as part of 2007-08 Budget have only been made possible due to the essential and necessary reforms to the Territory’s finances that we undertook in the 2006-07 Budget. Our investments in health, education and our city’s infrastructure would not be possible without the continued impact of the efficiency measures and the reduced costs of administration introduced in 2006-07. And of course contrary to the constant refrain of those opposite, the vast bulk of the change to our fiscal position was brought about not through new fees or taxes, but by those efficiencies, by government tightening its belt, doing more and doing better with the resources at its disposal.

Mr Speaker, the 2007-08 Budget recognises the need to maintain a buffer against fiscal shocks, whilst also providing capacity to respond to unforeseen circumstances. The 2007-08 Budget recognises the need to provide for future generations, to address pressures and risks that we are aware of now such as rising health care costs, and the ageing population.

The 2007-08 Budget does all this whilst continuing to provide for core service delivery commitments to the ACT community.

Mr Speaker, the 2007-08 Budget demonstrates responsible fiscal management.

Mr Speaker, in its consideration of the Budget, the Select Committee on Estimates discusses a wide range of issues, and has made 66 recommendations. The Government has responded to each. The Committee's Report also included a Part 2: Additional Comments and Dissenting Report and the Government has broadly responded to this part of the Report.

I will not take the Assembly's time by working through each of the Select Committee's 66 recommendations. These are separately discussed in the response document.

Mr Speaker, the Government response to the Estimates Report appropriately addresses these important recommendations, and many other issues raised in the report. Broadly speaking, the recommendations

included in the report were, in most cases, in line with practices or processes already undertaken by this Government, or planned for the future. The Government accepted or noted the majority of the comments or recommendations and thanks the committee for the rigour of the Report.

Mr Speaker, conversely the dissenting report of Mr Stefaniak and Mrs Burke has over 160 recommendations.

I must say, the Government is slightly perplexed by the report, and by many of the recommendations in this report, especially when the Members contributing to the report acknowledged the conduct of the Committee Chair and his ability to carry out proceedings in a generally efficient and professional manner.

Mr Speaker, yet again, we see a report that makes little contribution to the consideration of expenditure proposals, or provides any reasonable alternatives to the resource allocations proposed in the 2007-08 Budget. Rather, we see a political grab bag of unfounded statements.

Mr Speaker, as the Government's response to the dissenting report outlines:

- the report and many of its recommendations are unclear, and contain little substance;
- in some instances, there is little or no justification for a recommendation;

- in several cases the recommendation is prefaced by unsubstantiated comments and allegations;
- the report contains numerous subjective judgements, and often derisory remarks, on the responses of Ministers' and Officials'. In some instances the authors are simply mocking; and
- it is also important to note that a number of the comments and recommendations ignore well established sources of information, benchmarking and national comparisons.

Mr Speaker, the authors also appear to be ignorant of the valuable information provided through the question on notice process, or at times have simply ignored this information, which might have weakened their politically motivated commentary.

Mr Speaker, the Government believes the dissenting report from Mr Stefaniak and Mrs Burke lacks balance, objectivity, evidence, research, accuracy and relevance to the issues concerning the estimates committee. The report is merely a political document that is being used as a vehicle to make of unsubstantiated political allegations. Of particular concern were the comments in relation to the Territory's health system and health outcomes. The suggestions of "a health system that is tearing itself apart, lacks innovative leadership and is devoid of tangible service standards" denigrates the exceptional efforts and tireless work of our health professionals in building an efficient and effective health system.

Sadly, it is typical of those opposite to routinely and shamefully attack this city's fine public servants, in a misguided belief that they are attacking a Minister. The hurt, and the offence taken, are deep and real, and the accusations unfair and unwarranted.

Mr Speaker, it is on this basis that the Government does not consider the individual recommendations or associated comments included in the report are worthy of any response.

Mr Speaker, returning to the main report of the Estimates Committee, the recommendations do not raise any serious issues that would prevent the passing of the 2007-08 Appropriation Bill.

Rather, the report seeks more information and clarification on a range of issues, and many useful recommendations that the Government has agreed to pursue where feasible, or is currently already pursuing.

I again thank the Committee for its consideration of these issues, and remind the Assembly that this Budget continues to build upon the important efficiency and structural reforms introduced in 2006-07. This Budget demonstrates 'prudent and responsible economic management' in the delivery of budget surpluses, words used by Mr Mulcahy himself to describe past federal surpluses¹.

¹ See Richard Mulcahy Press Release of 8 May 2007 'ACT to Benefit from Federal Budget: Mulcahy'

This Budget continues to be framed for not only today, but also to take the Territory forward.

Mr Speaker, I commend the Government Response to the Assembly.



**Government Response
to the Report of the
Select Committee on Estimates 2007-2008
on the inquiry into the
Appropriation Bill 2007-2008**

August 2007
Jon Stanhope MLA
Treasurer

28 / 8 / 2007

INTRODUCTION

The Select Committee on Estimates tabled its report on the Appropriation Bill 2007-2008 on Tuesday, 21 August 2007.

The Committee made 66 Recommendations in its Report. The Government has responded to most of the Recommendations. However, Recommendation 3 is a matter for the Legislative Assembly to consider when determining the sitting pattern each year. Similarly, Recommendations 10 and 28 are matters for the Auditor-General. The Government will not be responding to these Recommendations.

The Committee also tabled Part 2: Additional Comments and Dissenting Report. A Government response addressing broad themes of Part 2 is included in this response.

The Government thanks the Committee for its Report on the 2007-08 Appropriation Bill.

RESPONSE TO RECOMMENDATIONS

Recommendation 1

The Committee considers that the ACT Government should formalise the provision of documentation to the Estimates Committee by providing to it on its establishment an indexed set of submissions, in order that the Committee is able to make the best possible preparation for the hearings.

Government Response

Agreed in principle. Treasury will continue the practice of providing the Estimates Committee with a courtesy copy of all Submissions from the public, community and interest groups when the Budget is presented in the Legislative Assembly.

It is not possible to provide the committee with copies upon establishment of the Committee (i.e. approximately one month prior to Budget presentation) as these documents are used in the development of the Budget.

Recommendation 2

The Committee recommends that the ACT Government provide the Committee and its secretariat with full sets of the budget documents as soon as they are tabled in the Assembly.

Government Response

Noted. The Government provides the Legislative Assembly Secretariat with the appropriate number of copies of the Annual Budget Papers (under embargo) for immediate circulation upon release and tabling of the Budget in the Legislative Assembly. It is the Government's understanding that included in this allocation is a copy for the Assembly Committee Office.

Each member of the Committee is provided a copy through the embargo process. Additional courtesy copies are also provided to all Members of the Assembly, including Opposition Members, prior to presentation of the Budget in the Assembly.

Recommendation 3

1.14 The Committee recommends that the Legislative Assembly, when determining the sitting pattern each year, formally commit a period of time for the consideration of Estimates by a Select Committee.

Government Response

Noted. This is a matter to be considered by the Legislative Assembly.

Recommendation 4

1.15 The Committee recommends that the Treasurer of the day ensure that he or she is available for the Committee's first day of public hearings with the Executive.

Government Response

Noted.

Recommendation 5

1.19 The Committee recommends that the *Handbook for ACT Government Officials on Participation in Assembly and Other Inquiries* be widely publicised once it is amended, including being provided to every public servant in hard copy as part of their induction kit.

Government Response

Agreed in part. The Handbook will continue to be available electronically. It is not feasible to provide hard copies to all public servants.

Recommendation 6

1.21 The Committee recommends that the budget papers be indexed for ease of accessibility to readers.

Government Response

Not agreed. The Government strives to continually improve the quality and usability of information included in the Budget Papers. The Budget Papers contain a table of contents, footers identifying chapters and agency references. Agency BP4 chapters are also structured in a uniform and consistent manner to assist with the ease of use and navigation. Website content also includes a search function to assist with ease of use.

The inclusion of an index has been explored and assessed as not feasible given time constraints for publishing and opportunities for referencing errors as the index would be produced manually.

Recommendation 7

2.21 The Committee recommends that the Standing Committee on Health and Disability Committee give consideration to the conduct of an inquiry into certain public housing issues, including the meaning of the term 'security of tenure' within the community and the housing sector.

Government Response

Not agreed. The changes to public housing have been subject to extensive community consultation and analysis through mechanisms such as the *Performance Audit of Housing ACT – 2006* undertaken by the ACT Auditor-General. The community consultation process commenced in 2005 through a series of six Ministerial Housing Forums that led to a Ministerial Housing Summit and Tenants Summit in February

2006. In addition, a further 16 consultation forums on public housing changes will be held throughout August 2007.

The Minister for Housing will report to the Legislative Assembly in late 2007 on the outcomes of the current community consultation process and advise on the implementation arrangements for the policy guidelines associated with the changes.

Recommendation 8

3.15 The Committee recommends that the ACT Government make a six monthly report to the Legislative Assembly setting out unbudgeted revenue receipts.

Government Response

Noted. This practice is already undertaken. Revenue estimates are updated in the Mid-Year Review, Quarterly and Annual Consolidated Financial Statements, where relevant, which are tabled in the Assembly as required under the *Financial Management Act 1996*. The Annual Financial Statements and Annual Reports of agencies are also subject to detailed Assembly Committee scrutiny.

Revenue estimates for the current year are also updated in the Budget Papers of the proceeding year.

The variance explanations provided in these reports clearly identify the differences between budget and updated revenue estimates and reasons for those variances. Quarterly Financial Statements also provide additional information on significant revenues, such as a line-by-line account of taxation items and details on superannuation investments.

Recommendation 9

3.20 The Committee recommends that future budgets articulate the framework used to apply triple bottom line principles.

Government Response

Not agreed. The Government has already clearly outlined its approach to Triple Bottom Line/sustainability in the 2004-05 Supplementary Budget Paper *Format of Future Budget Papers*. The framework for the adoption of Triple Bottom Line is based on performance measures that are reported against in each budget. Assembly Members were consulted on this approach at the time. It is not necessary for the Government to reiterate this approach each and every year.

Recommendation 10

3.22 The Committee recommends that the Auditor-General undertake a review of progress in relation to triple bottom line reporting, extending the review to include triple bottom line budgeting.

Government Response

Noted. The Government does not set the Auditor-General's work program. This is a matter for the Auditor-General's Office.

Recommendation 11

3.34 The Committee recommends that the ACT Government immediately seek to enter into agreements with other jurisdictions to provide reciprocity for senior's card travel concessions.

Government Response

Agreed. The development of a national scheme whereby jurisdictions recognise each other's Seniors Cards for the provision of public transport concessions has been a long-standing issue. A number of States and Territories (notably NSW) have been unwilling to enter into arrangements about reciprocal public transport concessions on the basis of perceived costs.

The Chief Minister will write to Premiers and the Northern Territory Chief Minister proposing bilateral arrangements for reciprocal recognition of Seniors Cards for this purpose.

There are over 2.6 million Seniors Card holders in Australia, with around 75 per cent also holding a Pensioner Concession Card. Concession fares are available on ACTION buses at any time of day for pensioners, DVA Gold Card holders, and holders of the Centrelink Health Care Card for low income earners. As in other jurisdictions, these concession fares are available to cardholders living anywhere in Australia.

Recommendation 12

3.65 The Committee recommends that the report on superannuation investment policy be tabled in the Assembly by the last sitting day in August.

Government Response

Not agreed. The Review of the Application of Environmental, Social and Governance Principles to Territory Investment Practices (the 'review of superannuation investment policy' as referred to by the Estimates Committee) was completed by the independent, non-executive members of the Finance and Investment Advisory Board on 29 June 2007.

The Government is considering the report and has indicated that it intends to release the report publicly when this process is completed.

Recommendation 13

3.90 The Committee recommends that the ACT Government outline its future plans for the Information and Communications Technology, space science, biotechnology, public administration, environment industries and other industries outlined in the Economic White Paper.

Government Response

Noted. The Government outlined its policy approach to business support and assistance in the 2006-07 Budget. *For the Future* (Budget Speech 2006-07), describes the refocusing of forms of assistance to individual businesses, with greater emphasis placed on general business environment improvement through fiscal management approaches, and on the provision of information, advice and mentoring support to firms.

The Government views the *Economic White Paper* as a living document, where responses would be tailored to reflect issues and opportunities of the time. The Government's focus is on skills issues, improving the quality and flow of information to small businesses, establishing a more responsive planning system to accelerate development, connecting Canberra businesses to global investment and trade flows, and marketing Canberra to potential workers and their families.

All industries, including Information and Communication Technology, space science, biotechnology, public administration, environments industries and other industries outlined in the *Economic White Paper* will benefit from this approach.

Recommendation 14

4.10 The Committee recommends that the Chief Minister provide to the Legislative Assembly an update on the future of the Narrabundah long stay caravan park.

Government Response

Agreed in part. The Chief Minister will release information once the next milestones have been reached. There has already been considerable public reporting on this matter in the media.

Recommendation 15

4.19 The Committee recommends that the ACT Government review its funding for music events to ensure that organisations such as Music ACT, which maximise the involvement of community members receive funding consideration.

Government Response

Noted. ACT Government funding for music events is provided through a number of programs including the ACT Festival Fund, the ACT Arts Fund, Groovin' in Garema, and a range of Government managed events throughout the year.

There is significant support through the ACT Arts Fund for music activity in the ACT and competition for these funds is always high.

Music ACT applied to the ACT Arts Fund for 2006 and 2007. Whilst the Cultural Council, through the peer assessment process, acknowledged the potential of the applications they did not recommend Music ACT for funding against other applications in that category.

Music ACT did not apply for funding through the 2008 Arts Fund.

Recommendation 16

5.20 The Committee recommends that the ACT Government increase the level of resourcing to the Office of the Public Advocate.

Government Response

Not agreed. The Department of Justice and Community Safety is currently undertaking a workload assessment of the Public Advocate of the ACT, the outcome of which will better inform decisions about the Public Advocate's resourcing requirements.

Recommendation 17

5.30 The Committee recommends that accountability indicators for the Office of Regulatory Services be reviewed, with a view to ensuring that they are more comprehensive. In particular, they should include complaints about mortgage services and the level of compliance with workers' compensation regulatory schemes.

Government Response

Agreed in part. The Office of Regulatory Services (ORS) is currently reviewing the core services it provides and the manner those services are delivered. Accountability indicators will be examined following completion of a review of the core services of the Office.

Recommendation 18

5.32 The Committee recommends that the ACT Government maintain a watching brief on the finance industry in regard to mortgage defaulting.

Government Response

Agreed. The ORS receives and monitors complaints in relation to finance brokers and lenders. Part of that function includes maintaining a watching brief.

Recommendation 19

5.39 The Committee recommends that the ACT Government table in the Legislative Assembly a progress report which includes: a) an analysis of the original design and construction costs; b) what facilities will be available at opening and the cost thereof; c) an itemisation of which facilities have been deferred/excluded from the contract and the costings related to those facilities; and d) any additional capital works which might be required for any other facilities planned for future construction.

Government Response

Agreed.

Background

Contract packaging progress to date has included the:

- Engagement of Program Manager, Sinclair Knight Merz in September 2004.
- Engagement of Design Consultants Codd Stenders/May and Russell Joint Venture in March 2005.
- Early Earthworks construction let to Canberra Contractors in September 2005 with the package completed in February 2006.
- Bulk Earthworks construction let to BMD Constructions in January 2006, completed in October 2006; and
- Main Works Construction contract let to Bovis Lend Lease (BLL) in October 2006.

a) Original design and construction costs

The budgeted design and construction costs (or project costs) is \$128.7 million (GST exclusive).

b) Facilities available at opening

A contract for the Main Works Construction was let to BLL on 11 October 2006 for \$103 million (GST exclusive).

This contract covers the complete facility, less those facilities deferred, listed at c) below.

c) Deferred facilities (GST exclusive)

- One male sentenced cottage	\$1.462 million
- One male remand cottage	\$0.687 million
- Quiet Place	\$0.391 million
- One female cottage	\$0.647 million
- Gymnasium	\$1.224 million
- Part of the Transitional Release Centre	\$5.841 million
- Dog Squad facility	\$0.391 million

d) Additional capital works for other facilities planned for future construction.

There are no other facilities currently planned for future construction.

Recommendation 20

5.40 The Committee recommends that the ACT Government table in the Legislative Assembly by the end of September a report on the range of recreation facilities, together with an outline of research undertaken about the decisions surrounding those facilities. The report should also include any health and wellbeing plans.

Government Response

Agreed.

a) Recreational facilities will include:

- Oval;
- Exercise courts and recreation areas within and attached to the cell blocks;
- Exercise courts in the remand and sentenced precinct;
- Exercise room in the female community centre;
- Exercise court in the female precinct;
- Craft room in the female community centre;
- Quiet space in the female community centre;
- Reading room in the female community centre;
- Library in the education centre;
- Multi-faith room in the programs centre;
- Staff gymnasium in the facilities building; and
- Recreation areas within each cottage.

b) Research

The NSW Justice Health *Inmate Health Survey* reported that in terms of Body Mass Index, 21 percent of women and 14 percent of men in custody could be categorised as ‘obese’. Diet and regular, planned exercise can assist in addressing this significant health problem. The UK House of Commons Committee of Public Accounts in a 2006 report *Serving Time: Prisoner Diet and Exercise* noted “Some women entered prison with severe drug dependency problems and therefore in a very poor physical state. These women needed to rebuild their strength through regular meals and physical exercise...traditional physical education activities, such as weight training and football were popular with many prisoners, and had an important role to play in getting prisoners exercising and helping some prisoners to rehabilitate after using drugs outside prison”.

The relationship between mood and environment is well known. In addition, there is extensive research into the relationship between negative emotion regulation and adjustment and the opportunity to retreat to restorative settings, which are usually, but not exclusively, natural in perspective. Attention Restoration Theory is concerned with the physiological changes, such as relaxation, positive mood change and the renewal of direct attention capacity following negative precursors such as stress and attention fatigue. The place where this can occur provides psychological distance from the individual’s daily experiences, effortless concentration drawn by objects in the environment, which is also of sufficient scope to sustain mental exploration, and environmental support for personal inclinations and purposes.

The Aboriginal Environments Research Centre at the University of Queensland was the source of advice in the early design stages of the Alexander Maconochie Centre (AMC). This work and expert opinion on Aboriginal domiciliary arrangements and on the sociospatial structures of Aboriginal settlements, informed the AMC design. In October 1999 Prof Memmott co-delivered with Karl Eckermann, also of Queensland University, a paper at the conference on *Best Practice Interventions in Corrections for Indigenous People*. In this paper the authors recommended that correctional jurisdictions 'ensure design and choice of accommodation and recreation spaces reflect preferred Indigenous lifestyles e.g. outdoor provision of shade, sitting surfaces, wind protection...consider incorporating a meeting place for Indigenous prisoners in which they have a high degree of environmental control; possibly indoor and outdoor solutions...consider domestic-scale buildings and outdoor settings in order to humanize scale'.

Other research

Considerable research was undertaken on the AMC design in general and with specific reference to recreation and well-being. This reflects the fact that it is not feasible to separate out aspects of the AMC design. The component parts are integrated and contribute to the whole. The research material which informed the design and validated the approach taken, which directly or indirectly deals with recreation and well-being, included, but was not limited to, the sources provided at **Attachment 1**.

c) Health and Wellbeing Plans

The *Draft Adult Corrections Health Services Plan 2007-2010* is currently available on the ACT health website for public consultation until Tuesday, 2 October 2007 (<http://www.health.act.gov.au/c/health?a=da&did=10010771&pid=1186965774>).

The ACT Corrective Services *Drug, Alcohol and Tobacco Strategic Plan 2006-08* is available on the Alexander Maconochie Centre website at www.cs.act.gov.au/amc.

Recommendation 21

5.44 The Committee recommends that the ACT Government proceed with the acquisition and installation of an updated data system as a matter of urgency.

Government Response

Agreed. The ACT Law Courts and Tribunals has commenced a project to improve its data systems. The project is aimed at improving the comparability of data held by the Courts, the level of information held about offences, victims and incidents, and the provision of information on matters relating to bail. This project is currently due to be completed in October 2007.

Recommendation 22

5.49 The Committee recommends that better data about the types of matters funded and the profile of recipients be made available.

Government Response

Agreed. This information is currently disclosed in Legal Aid's Annual Report and will be reflected in the Budget Papers or supporting documentation in the future.

Recommendation 23

5.51 The Committee recommends that the output class 1.2, 'In-house legal payments' be renamed 'In-house services.'

Government Response

Agreed.

Recommendation 24

6.9 The Committee recommends that the ACT Government provide a detailed explanation for the delays in relocation of all elements of emergency services to the Fairbairn site.

Government Response

Agreed. The original Fairbairn proposal was based on an accommodation configuration at a time when emergency services was an independent authority.

The Emergency Services Agency reviewed its organisation accommodation requirements following:

- the change of the independent Authority to departmental Agency status;
- the advent of Shared Services;
- the introduction of departmental centralised human resource and financial management; and
- the winding down of the implementation team associated with completion of the government funded initiatives in response to the McLeod report.

The Review identified a significant lessening of requirements. Due to the changes required, the Government is considering the revised requirements.

It is expected that these considerations will be finalised in the near future.

Recommendation 25

6.18 The Committee recommends that the ACT Government, undertake an independent review of the procurement process for the purchase and implementation of Firelink.

Government Response

Not agreed. There have been two independent expert reports prepared on the ACT Emergency Services Agency's information and communication technology systems. These reviews made a number of recommendations that covered all areas of the process, ranging from procurement to operability.

The ACT Auditor-General has conducted a Performance Audit of the FireLink Project, which specifically considers the procurement of FireLink. This audit is due to be tabled in the Legislative Assembly before the end of August 2007.

The Government does not believe that another independent review of the FireLink project is warranted.

Recommendation 26

6.21 The Committee recommends that the ACT Government ensure that ambulance officers and paramedics are fully trained and equipped to deal with these contingencies.

Government Response

Agreed. ACT Ambulance Service Intensive Care Paramedics are trained and equipped to deal with out of hospital births. It is considered that their level of training is appropriate and does not need to be upgraded at this time.

Recommendation 27

6.29 The Estimates Committee notes that the AFP is currently reviewing the policy around police ranks and recommends that the Minister for Police and Emergency Services table a copy of final ranking structure for ACT Policing.

Government Response

Agreed. The AFP has advised that the issue of rank, titles and insignia is still under consideration by the AFP Senior Executive and no decision has been reached at this point. The effect that the review will have on ACT Policing is unknown at this time. ACT Policing will advise the Department of Justice and Community Safety once a result is known. This is likely to be completed by the end of 2007.

Recommendation 28

7.6 The Committee recommends that the Auditor-General investigate whole of government economic costs and gains incurred by the school closures and amalgamations.

Government Response

Noted. The Government does not set the Auditor-General's work program. This is a matter for the Auditor-General's Office.

Recommendation 29

7.30 The Committee recommends that the ACT budget allocation for non-government education appear in output class 2 within the Department of Education and Training's section of Budget Paper No 4.

Government Response

Agreed in part. The ACT Budget allocation for non-government schools is provided predominantly as Territorial funding, and cannot therefore be included as government payment for output under output class 2. However, the Department will ensure that the amount of this ACT funding to non government schools is contained as a note in the non government schooling section of Budget Paper No. 4 for 2008-09.

Recommendation 30

7.31 The Committee recommends that Commonwealth funding for government and non-government schools be separately itemised in the budget papers.

Government Response

Noted. The recommendation is already reflected in Budget Paper No. 4. The Commonwealth funding for both government and non-government schools for 2007-08 Budget is separately itemised on page 376 of Budget Paper No. 4.

Recommendation 31

7.32 The Committee recommends that figures be provided by national average and the average for all States and Territories in relation to non-government school funding.

Government Response

Not agreed. Budget information for non-government school funding in other states and territories is not available when the Budget is printed.

For the information of the Committee, comparative information on non-government school funding by state and territory and national average is published by MCEETYA in the National Report on Schooling in Australia. The latest version of this report (currently 2005) can be found at <http://www.mceetya.edu.au/mceetya/anr/>.

Recommendation 32

7.53 The Committee recommends that there is a commitment by the ACT Government to maintain funding for the Weston campus while all future options for this site are evaluated.

Government Response

Noted. The Government will continue to maintain appropriate funding for the provision of CIT's horticulture programs and services.

Recommendation 33

8.25 The Committee recommends that the ACT Human Rights Commissioner be asked to examine the Memorandum of Understanding between Mental Health ACT and the AFP to ensure it accords with the ACT's Human Rights Act.

Government Response

Noted. This is an issue for the Human Rights and Discrimination Commissioner.

The Government notes that the Human Rights Commissioner is currently actively engaged in overseeing the current major review of the *Mental Health (Treatment and Care) Act 1994*. Among other things, the review will examine the application of the *Human Rights Act 2004* in this area and it is expected that the issues raised by the Select Committee on Estimates 2007-2008 will be canvassed as part of that review.

Recommendation 34

8.54 The Committee recommends that the ACT Government consider making alternative breast screening capabilities more widely available.

Government Response

Agreed. Noting that it is assumed that the committee is making no distinction between "screening" and "diagnostic" services.

It is important to distinguish between the use of MRI for screening versus diagnostic purposes. The distinction is that breast screening is for asymptomatic women within the target age range and this is always determined by national policies.

Diagnostic and treatment services for breast cancer are available to all symptomatic women, as distinct from screening which is only available to women within the target range and without symptoms.

Breast screening is part of the National Screening Program and as with other National Screening Programs such as cervical and bowel cancer it is essential that ACT remains in line with all jurisdictions. It is not appropriate to consider offering alternative, unproven methods of screening outside the national protocol.

The ACT will consider enhancing its public diagnostic and treatment capabilities for breast cancer through the use of MRI, and in the future, other methods such as thermography, should their clinical efficacy and appropriateness be demonstrated.

Recommendation 35

8.57 The Committee recommends that Health ACT review the composition of output classes 1.3 to 1.7 with a view to making them more streamlined.

Government Response

Not agreed. The composition of the output reporting for ACT Health provides performance information for quite distinct functions of ACT Health (Outputs 1.1 to 1.6). The Government considers the retention of all of these outputs, including those that cover public health, cancer services and aged care and rehabilitation to be useful and informative to the community.

The Early Intervention and Prevention output (1.7) was an initiative of this Government in 2005-06 designed to better inform the community and to provide a necessary focus on this aspect of service provision.

Recommendation 36

9.9 The Committee recommends that the Minister for Housing table in the Legislative Assembly a bi-annual report on the progress of major housing projects.

Government Response

Not agreed. There are numerous documents, including the Annual Report, Budget Papers and Mid Year Review that provide information on major housing projects.

Recommendation 37

9.16 The Committee recommends that the Minister for Housing clarify the meaning of the term 'security of tenure' and communicate clearly to tenants its implications for their tenancies, ensuring that all tenants are consulted in regard to the changes and no tenant is disadvantaged by the changes.

Government Response

Noted. The tenure of public housing tenants is secured through their Tenancy Agreement established under the *Residential Tenancies Act 1997*. Public housing tenancies are periodic which means they continue unless ended under a provision of the Act. Under the legislation Housing ACT, along with all other landlords in the ACT, can end agreements where tenants' have not met their obligations, where a premises is unsafe or not fit for habitation or 'without cause' in situations where the property is required for re-development or another purpose.

Housing ACT is currently undertaking an extensive community consultation process with tenants on the changes to public housing. A total of 16 consultations will be held throughout August 2007 and tenants and other interested stakeholders have been invited to provide input on draft policy guidelines in writing or via telephone. The purpose of the changes is to provide a greater level of housing assistance to the community as a whole, including families on the waiting list and families in overcrowded conditions who need to be rehoused in the larger properties that are currently under-utilised. Housing ACT will engage positively with tenants to identify suitable options with changes only taking place by agreement.

Recommendation 38

9.17 The Committee further recommends that the Government make public any cost/benefit analysis which has informed its proposed changes to security of tenure.

Government Response

Noted. The background and rationale for the changes has been included in the "Public Housing Discussion Paper" which is currently subject to community consultation.

Recommendation 39

9.21 The Committee recommends that the ACT Government provide to the Legislative Assembly an outline of the debt management measures or provide details of debt management actions, including how those measures will decrease debt.

Government Response

Agreed. Housing ACT offers a briefing to Members on the processes used to assist tenants to manage debt.

Recommendation 40

9.27 The Committee recommends that a roundtable be established, comprising representatives of ACTCOSS, the Tenants' Union and other relevant organisations with representatives of ACT Housing and the Minister, to determine guidelines and protocols for consultation on issues of mutual concern.

Government Response

Not agreed. The Tenants' Union, ACTCOSS and other relevant organisations are welcome to discuss issues with the Minister for Housing subject to availability.

The Community Engagement Initiative recommends that a six-week consultation period be allowed for community involvement on significant policy and program developments. In addition, a number of forums and interagency mechanisms are available to seek feedback on government policy and program issues of mutual concern.

Recommendation 41

9.28 The Committee recommends that the new Joint Champions group be representative of public housing tenants and be resourced to liaise with housing tenants and conduct action research on issues important to tenants to inform ACT Housing policies and practices.

Government Response

Agreed. The process for convening a new Joint Champions Group (JCG) has now been completed.

Following the recent call for nominations of new members, Housing ACT has received around 80 nominations from Housing ACT tenants who have expressed their interest in participating as a member of the JCG. All nominations have been accepted.

The high level of tenant interest, diversity and excellent calibre of applications is overwhelming and is indicative of the healthy profile and positive contribution to tenant participation the JCG has achieved since its inception.

Of the nominations received, 12 existing members have expressed an interest for continuing membership. This forms a sound base for continuity of activities of the group and will act to assist induction of new members.

Other tenant nominations received demonstrate varied and diverse interests and experience in the fields of youth, aged, disability, both male and female directed single parent families and persons from culturally and linguistically diverse backgrounds.

In order to allow all interested tenants to participate effectively, the JCG will be restructured. The collective group will convene biannually, and four working groups formed to progress work on specific interest areas such as maintenance of properties; community participation; public housing reforms and neighbourly behaviours.

Recommendation 42

9.44 The Committee recommends that the Minister for Health provide to the Assembly a report of the processes involved in the identification of required therapy services and the implementation of treatment services, including an outline of the interaction with Therapy ACT in relation to those matters.

Government Response

Not agreed. The information about the processes involved in the identification of required therapy services and implementation is available on the Department of Disability, Housing and Community Services - Therapy ACT website. The information includes the Intake Process, structure of Therapy ACT, services offered by specific disciplines and programs eg Autism Assessment and Family Support Service. This information is available to the public at:

<http://www.dhcs.act.gov.au/TherapyACT/default.htm>

and is updated on a regular basis.

Recommendation 43

9.69 The Committee recommends that the Department of Disability, Housing and Community Services ensures that the work of the Community Engagement Unit continues and that best practice methods of community engagement be followed by Government across all departments.

Government Response

Agreed. The Department will work with other government agencies to ensure best practice methods are adopted in the engagement of the community on policy and program development.

Recommendation 44

10.6 The Committee recommends that the Minister for the Environment table in the Assembly the plans and priorities for projects funded under the national water strategy program.

Government Response

Noted. The ACT Government is in the process of finalising its funding submissions to the National Water Commission. The final bids will be considered by the Commissioners at their meeting on 13 September 2007.

The Canberra Integrated Urban Waterways Project is focusing on integrating urban waterway management by investigating opportunities for investment in stormwater harvesting ponds, sewer mining plants and aquifer storage and recovery.

Over 70 possible project sites will be identified with all sites identified being mapped with some preliminary modelling and assessment undertaken. However the 70 sites will be assessed to identify the 6-7 optimum sites for detailed analysis. Funding will enable the construction of 3-4 sites by 2010.

One site has been fast tracked to test the complex issues associated with the administration of non-potable water provision and cost recovery. The \$4.5m Flemington Road Ponds development in Mitchell is scheduled for construction later this year.

Recommendation 45

10.7 The Committee recommends that the national water strategy program be extended throughout the urban areas of the ACT.

Government Response

Agreed. All proposed projects that are to be submitted for National Water Commission funding have benefits for all urban areas of the ACT.

Recommendation 46

10.20 The Committee recommends that the ACT Government undertake an evaluation of the contractual arrangement with Adshel.

Government Response

Not agreed. The contract with Adshel was awarded after a public tender process which involved Procurement Solutions and the ACT Government Solicitors Office. There is no need to further evaluate the contractual arrangement at this time.

Recommendation 47

10.21 The Committee recommends that the criteria for placement of bus shelters prioritise the needs of ACTION bus patrons.

Government Response

Noted. The current criteria used for placement of shelters already prioritises the needs of ACTION's bus patrons.

Recommendation 48

10.22 The Committee recommends that the Government examines advertising initiatives which offsets the cost of ACTION to the community.

Government Response

Noted. ACTION currently receives revenue from advertising on buses through a third party contract which is designed to maximise advertising opportunities.

Recommendation 49

10.29 The Committee recommends that the ACT Government expedite the installation of CCTV cameras on all ACTION buses and at all interchanges to enhance the safety of transport officers and passengers.

Government Response

Agreed. Implementation of CCTV cameras on buses is well underway after capital funding of \$1.4 million in 2006-07 and a further \$0.445 million in 2007-08. All buses in the fleet will be CCTV enabled by December 2007. Woden and Belconnen interchanges are a priority for CCTV implementation, which will occur later in 2007. Tuggeranong interchange will follow. Civic interchange will be progressed through a whole of government approach regarding Civic security.

Recommendation 50

10.41 The Committee recommends that all shopping centre upgrades be implemented with full community participation.

Government Response

Agreed. Local and town shopping centres are upgraded as part of a Precinct Management Program which involves capital works expenditure over a minimum of two financial years. Extensive public and stakeholder consultation is undertaken at the forward design stage in the initial year. Final design and construction then normally proceeds in the following year(s).

Forward Design studies will inform the construction stage for all four precincts to be upgraded in 2007-08. Lake Ginninderra Foreshore – Emu Inlet, Ainslie Shops and Garran Shops involved extensive public consultation in the development of Forward Design study reports undertaken over the past five years. Melba Shops involved a condensed Forward Design study process undertaken over the past 2 months.

Recommendation 51

10.42 The Committee recommends that the library services at the ACT Legislative Assembly remain at least at current capacity and that there is no further reduction in remaining community library services.

Government Response

Noted. In relation to the Government and Assembly Library, an independent review is currently underway. Any recommendations arising from the review will be discussed with the Speaker in the first instance. While no reduction in community library operations are planned, services will be continually improved to meet the changing needs and usage patterns of the community.

Recommendation 52

10.44 The Committee recommends that that the ACT Government expedite the construction of the new Tharwa bridge.

Government Response

Noted. The ACT Government is expediting the construction of the new Tharwa Bridge which is due for completion by the end of 2008.

Recommendation 53

10.45 The Committee recommends that the ACT Government present to Legislative Assembly a comprehensive capital works strategy, including a five year road plan and associated asset management strategy.

Government Response

Noted. The improved management of Government assets continues to be a focus for the Government during 2007-08 and the forward years. This will involve a review of the whole-of-government asset management strategy and the continued development of agency asset management plans.

Recommendation 54

10.48 That, the ACT Government agrees to implement strategies jointly with the community to ensure the maintenance of sports grounds

Government Response

Noted. The development of the Territory Sportsground Strategy to address further water restrictions in the ACT utilised a strong consultative approach with the community to ensure appropriate recommendations. A commitment has been made by the Department of Territory and Municipal Services through this process to maintain the level of community consultation regarding the implementation of sportsground maintenance strategies. This will be achieved through ongoing liaison with the sportsground community focus group.

Recommendation 55

10.49 That the ACT Government provides details of the criteria by which applications for particular sports grounds for exemption from Stage 4 water restrictions will be assessed.

Government Response

Noted. The general criteria utilised to assess priority rankings for exemption from Stage 4 water restrictions was presented at an industry meeting on 13 August 2007. This information is also included in the Territory Sportsground Strategy which will be presented to ACTEW by Department of Territory and Municipal Services on 2 September 2007.

The final assessment of sportsground venues to gain an exemption will be undertaken by ACTEW in the event of the introduction of Stage 4 water restrictions. The criteria for the level of exemption to be granted will be determined by ACTEW and made public at ACTEW's discretion.

Recommendation 56

10.51 That the ACT Government agrees to reinstate grants for sporting and recreation organisations to the quantum of grants provided in 2005.

Government Response

Noted. The issue of Government grants is addressed through the Annual Budget process.

Recommendation 57

10.52 That the ACT Government agrees to provide a level of financial assistance to ACT Academy of Sport athletes that is appropriate to the circumstances of each athlete.

Government Response

Noted. The ACT Government is committed to ensuring the service level provided to athletes, inclusive of financial assistance, is appropriate and sustainable for the ongoing development of high performance sport in the Territory. The recent rationalisation of scholarship numbers formed part of this strategy to ensure a higher level of assistance through a more targeted approach to meeting the various needs of individual and squad athletes.

In the lead up to the 2008 Beijing Olympics, greater financial assistance will be provided in the form of Olympic and Paralympic Training Grants to assist with increased costs associated with optimal Olympic preparation.

Recommendation 58

10.54 That the ACT Government reinstates the accountability indicator relating to the number of athletes offered scholarships at the ACT Academy of Sport.

Government Response

Not agreed. The accountability indicator relating to the number of athlete scholarships is not reflective of the value and associated benefits of an athlete scholarship. In the past, the number has merely indicated the mass of athletes associated with the ACT Academy of Sport, irrespective of the level of support provided. The variance in athlete numbers depending on the seasonal nature of high performance sport also presents a difficulty in reporting.

The accountability indicator relating to athlete satisfaction of service better reflects the benefit provided to athletes through the Government's investment.

Recommendation 59

10.57 The Committee recommends that the changes to ACT Tourism announced in the 2006-2007 budget be reviewed in relation to the impacts on the industry, prior to the preparation of the next budget, with a view to re-establishing ACT Tourism as a statutory authority.

Government Response

Not agreed. On 1 July 2006, the new ACT Department of Territory and Municipal Services (TAMS) was established, merging of a number of independent agencies/corporations into this new Department achieved synergies and efficiencies within Government. The Australian Capital Tourism Corporation (ACTC) ceased to exist from 1 July 2006.

Rationalisation has resulted in efficiencies through corporate areas previously run by ACTC being centralised. These areas include: strategic coordination, community engagement and parts of finance, corporate communications, human resources and government coordination liaison.

Recommendation 60

10.58 The Committee recommends that funding for tourism be disaggregated to a more detailed level, that is that funding for major projects be specifically identified in future budgets.

Government Response

Not agreed. Australian Capital Tourism and Territory Venues and Events (TVE) have been combined into output class 2.2. Tourism's operating statement now forms part of departmental financial statements.

This combination reflects the synergies of these two business units, for example, TVE's development of Stromlo Forest Park and Tidbinbilla Discovery Centre. These potentially constitute new tourism products, which provide opportunities to drive increases in visitation numbers.

Recommendation 61

11.11 The Committee recommends that the government table in the Legislative Assembly a progress report on the processes and timelines leading to the draft variation to the Territory Plan.

Government Response

Not agreed. It is not common practice for the Government to provide reports to the Assembly on the timelines associated with draft variations.

The Government through Minister Barr and the Chief Minister has responded to questions in Estimates about how this matter was being progressed, including responses to questions about delays.

Depending on the length of time it takes the Planning and Environment Committee to consider and report on the Variation, it could be approved before the end of this calendar year. The Amendment to the National Capital Authority is outside of the Government's control.

Recommendation 62

11.38 The Committee recommends that public housing and affordable housing constitute a reasonable percentage of the Eastlake development.

Government Response

Noted. The Department of Disability, Housing and Community Services has been an active participant in planning for East Lake.

Recommendation 63

11.39 The Committee recommends that, if redevelopment of the Causeway must proceed, the residents be consulted and rehoused in a way that maintains the community identity and cohesiveness, and if possible, that rehousing be on the current site.

Government Response

Noted. The Department of Disability, Housing and Community Services has already made a commitment (when site investigations for ACTPLA's East Lake plan were commenced) to fully consult and involve Causeway tenants in future development.

Recommendation 64

12.8 The Committee recommends that the Chief Minister's Department report annually to the Legislative Assembly on the status of recommendations in Auditor-General's reports tabled in the preceding financial year.

Government Response

Not agreed. The 2006-07 Chief Minister's Annual Report Directions require agencies to 'report on the most significant developments in scrutiny, both internal and external, of the agency and the agency's response, including particulars of ACT Auditor-General and ACT Ombudsman reports'.

The Government does not consider it appropriate for Chief Minister's Department to report on other agencies' accountabilities.

The Government will be considering its position on audit recommendations with a whole of government focus as part of its submission to the Standing Committee on Public Accounts in response to the 'Auditor-General's Report No 2 – 2007: Agency implementation of Audit Recommendations'.

Recommendation 65

12.9 The Committee recommends that the report to the Legislative Assembly form part of the Chief Minister's Department's Annual Report.

Government Response

Not agreed. As above.

Recommendation 66

12.10 The Committee recommends that the report to the Legislative Assembly contain the following information – a) the acceptability of recommendations to the Government; b) for recommendations acceptable to the Government, whether the recommendations have been implemented; c) if recommendations have not been implemented, an indication of their implementation date.

Government Response

Not agreed. As above.

Attachment 1

Recommendation 20 – Sources of Research

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Government Response
to the Additional Comments
Select Committee on Estimates 2007-2008
by Deb Foskey MLA

August 2007

The Government does not accept recommendations 1, 2 and 4 by Dr Foskey. The Government notes recommendation 3. In relation to this recommendation, the Government notes that:

- it had released its framework for future budget papers reflecting triple bottom line/sustainability principles in the 2004-05 Budget;
- it had sought input from the Members of the Legislative Assembly on that framework;
- it has substantially implemented that framework; and
- it has provided advice and briefing to Dr Foskey on this matter.

Nevertheless, the Government recognises that performance measures always remain subject to improvement, and would welcome any specific suggestions in this regard.

The Government does not accept Dr Foskey's comments and assertions in relation to cuts to services, lowering of benchmarks for services, and betrayal of election promises and Labor principles.

This Government has an excellent record on social equity and services to the community which is unmatched by any other Government since the self-government. Since coming to office the Government has significantly enhanced services not only to the community in general, but specifically for the most vulnerable in our society.

In relation to tabling of the report of the Strategic and Functional Review of the ACT Public Sector and Services, the Government again reiterates, the Report was prepared for Cabinet consideration in the preparation of the 2006-07 Budget. There are well established protocols relating to advice to Cabinet.

Consistent with the Government's commitment to accountability, the financial implications and decisions in the Budget have been reported transparently in the Budget Papers and a range of other documents. In addition the traditional Budget speech and media releases, there were approximately 18 fact sheets and a supplementary Budget Paper, For the Future, which set out many of the findings of the review.



Government Response
to the Additional and Dissenting Report of the
Select Committee on Estimates 2007-2008
by Bill Stefaniak MLA and Jacqui Burke MLA

August 2007

The Government notes that Mr Stefaniak and Mrs Burke have provided an additional and dissenting report containing an additional 162 recommendations compared to the 66 recommendations in the Committee's consensus report.

The Government recognises that it is up to the Committee Members to provide an additional and/or dissenting report. The need for such a report in this instance, however, is unclear especially when the Members acknowledge that the Chair conducted the hearings in a generally efficient and professional manner.

As a general comment, the report makes little contribution to the consideration of the expenditure proposals, or provides any reasonable alternatives to resource allocations in the 2007-08 Budget.

In general, the Government is concerned about the quality and the approach of this report. Some of those concerns are highlighted below:

- Some of the recommendations are unclear and/or appear to have little substance:
- In a number of instances, there is little or no justification provided for the recommendation.
- Where it has suited Mr Stefaniak and Mrs Burke, the recommendation has been prefaced by unsubstantiated comments and allegations.
- Throughout the report, there are numerous subjective judgements, often derisory, on Ministers' and Officials' responses. In some instances Mr Stefaniak and Mrs Burke are simply mocking.
- In some instances, Mr Stefaniak and Mrs Burke appear to be ignorant of the information provided through questions on notice, or ignore this information to suit political comment.
- A number of comments and recommendations ignore well established sources of information and national comparisons.

The above list and the examples are not exhaustive, rather only indicative. The Government is most concerned about the comments from Mr Stefaniak and Mrs Burke in relation to the Territory's health system and the Territory's health outcomes. Suggestions of "a health system that is tearing itself apart, lacks innovative leadership and is devoid of tangible service standards" not only denigrate the efforts of all the professionals who deliver high quality health care to Territory's residents, but also ignore the substantial Government investment into building an efficient and effective health system.

The Government considers the report from Mr Stefaniak and Mrs Burke lacks balance, objectivity, evidence, research, accuracy and relevance to the issues concerning an Estimates Committee. It is a manifestly political document evidenced by its discussion of the Federal Government's program in the Northern Territory and the Chief Minister's comments on that program.

The Government considers it unnecessary to respond to the report's individual recommendations and the associated comments.