THE COMMITTEE

COMMITTEE MEMBERSHIP

Mr Jeremy Hanson MLA (Chair)
Mr Michael Pettersson MLA (Deputy Chair)
Mr Deepak-Raj Gupta MLA

SECRETARIAT

Hamish Finlay Secretary
Alice Houghton Research Officer
Lydia Chung Administrative Support

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RESOLUTION OF APPOINTMENT

At its meeting of 13 December 2016 the Legislative Assembly resolved to create:

A Standing Committee on Economic Development and Tourism to examine matters relating to economic and business development, small business, tourism, market and regulatory reform, public sector management, taxation and revenue, procurement, regional development, international trade, skills development and employment creation, and technology, arts and culture.

On 26 October 2017 the Legislative Assembly resolved to amend:

Omit the words "market and regulatory reform, public sector management, taxation and revenue", substitute "Access Canberra".

TERMS OF REFERENCE

At its meeting on Thursday, 24 October 2019, the Assembly passed the following resolution:

(1) the annual and financial reports for the financial year 2018-2019 and for the calendar year 2018 presented to the Assembly pursuant to the Annual Reports (Government Agencies) Act 2004 stand referred to the standing committees, on presentation, in accordance with the schedule below:

(2) the annual report of ACT Policing stands referred to the Standing Committee on Justice and Community Safety;

(3) notwithstanding standing order 229, only one standing committee may meet for the consideration of the inquiry into the calendar years 2018 and financial year 2018-2019 annual and financial reports at any given time;

(4) standing committees are to report to the Assembly on financial year reports by the last sitting day in March 2020, and on calendar year reports for 2018 by the last sitting day in March 2020; and

(5) the foregoing provisions of this resolution have effect notwithstanding anything contained in the standing orders.
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<td>ACT Property Group</td>
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<td>CFC</td>
<td>Cultural Facilities Corporation</td>
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<td>CMTEDD</td>
<td>Chief Minister, Treasury and Economic Development Directorate</td>
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RECOMMENDATIONS

RECOMMENDATION 1

2.9 The Committee recommends that annual reports present in a table all accountability indicators, success or failure against those indicators and explanations for significant variance.

RECOMMENDATION 2

3.14 The Committee recommends that the CMTEDD annual report include a breakdown of events at EPIC and their attendance.

RECOMMENDATION 3

3.24 The Committee recommends that the Fix My Street website and app include a statement that it is not for requesting new services or infrastructure and direct users to the appropriate places to make such requests.

RECOMMENDATION 4

3.29 The Committee recommends that once digital drivers’ licences are introduced, the ACT Government continue to make accessible a hard-copy identity document.

RECOMMENDATION 5

3.37 The Committee recommends that the ACT Government ensures that the notifiable invoices register is updated in a timely manner.

RECOMMENDATION 6

3.39 The Committee recommends that the Minister for Government Services and Procurement, by the last sitting in June 2020, provide the Assembly with an update on efforts to allow the notifiable invoices register to include data identifying the contract that each invoice was issued under, including target dates for completing significant stages of the project.

RECOMMENDATION 7

3.40 The Committee recommends that Procurement ACT ensure that a consistent date convention is used in the notifiable invoices register to ensure that it can be accurately searched by date.

RECOMMENDATION 8

3.43 The Committee recommends that the ACT Government consider mandating the use of whole of government panels by directorates, except where a case is made for exemption for particular procurements.

RECOMMENDATION 9

4.5 The Committee recommends that the ACT Government, after sufficient operation of the design review panel, audit a sample of finished builds that received input from the panel and determine the reason for any variations from the agreed plans.
1 INTRODUCTION

1.1 At its meeting on Thursday, 24 October 2019, the Assembly referred to the Standing Committee on Economic Development and Tourism (the Committee) the annual and financial reports for the financial year 2018-2019 and for the calendar year 2018 in accordance with a schedule. The reports were presented to the Assembly pursuant to the Annual Reports (Government Agencies) Act 2004.

1.2 The following sections of the Chief Minister, Treasury and Economic Development Directorate annual report were referred to the Committee:

- Access Canberra;
- ACT Construction Occupations;
- ACT Government Procurement Board;
- Arts Engagement;
- Community Facilities – including property services and charging policy;
- Coordinated Communication and Community Engagement;
- Digital Strategy;
- Events;
- Goods and Services Procurement;
- Government Policy Reform;
- Infrastructure Finance and Capital Works;
- Innovate, Trade and Investment;
- Property Services;
- Venues; and
- VisitCanberra.

1.3 The annual report of the Cultural Facilities Corporation was also referred to the Committee.

1.4 Sections of the Environment, Planning and Sustainable Development Directorate related to building policy were also referred to the Committee.

CONDUCT OF THE INQUIRY

1.5 The Committee held three public hearings on 4, 7 and 8 November 2019. At these hearings, the Committee heard evidence from 41 witnesses. Full details of witnesses who appeared are available in Appendix A of this report. Transcripts from the hearings are available at http://www.hansard.act.gov.au/hansard/2017/comms/default.htm.
1.6 A total of 33 questions were taken on notice during the public hearings and 34 questions were placed on notice after the hearings. Please refer to Appendix B for a list of the questions. Answers to the questions are provided on the inquiry webpage: https://www.parliament.act.gov.au/in-committees/standing-committees-current-assembly/standing-committee-on-economic-development-and-tourism/inquiry-into-annual-and-financial-reports-2018-2019

1.7 Most responses to questions taken on notice at public hearings were received promptly. The Committee would like to thank Ministers and directorate staff for their prompt return of responses.

STRUCTURE OF THE REPORT

1.8 This report presents a summary of the Committee’s inquiry into the annual reports’ material listed in paragraph 1.2. In developing this report, the Committee has primarily focused on the issues that were raised at public hearings.

1.9 The structure of this report is as follows:

- Chapter 1: Introduction
- Chapter 2: Annual reporting requirements
- Chapter 3: Chief Minister, Treasury and Economic Development Directorate
- Chapter 4: Environment, Planning and Sustainable Development Directorate
- Chapter 5: Conclusion

ACKNOWLEDGEMENTS

1.10 The Committee thanks relevant ACT Government Ministers and accompanying directorate officials for providing their time and expertise as witnesses at its annual reports hearings.
2 ANNUAL REPORTING REQUIREMENTS

2.1 The Annual Reports (Government Agencies) Act 2004 sets the framework for annual reporting across the ACT public sector. In accordance with the Annual Reports (Government Agencies) Act 2004, the Annual Reports Directions (the Directions) are issued annually to outline agency reporting requirements.

2.2 As specified in the Directions, annual reports are 'reports from agency heads to their responsible Minister, the Legislative Assembly and the public'. Annual reports enable agencies to provide an account of their performance, through Ministers, to the Legislative Assembly and the wider community.

2.3 The Directions state that an effective annual report will:

- provide clear information about the directorate/public sector body's purpose, priorities, outputs and achievements;
- focus on results and outcomes, communicate the success or shortfalls of the directorate/public sector body's activities in pursuing government objectives in the reporting year, while accounting for the resources used in the process and explaining changes in performance over time;
- discuss results against expectations, provide sufficient information and analysis for the Legislative Assembly and community to make a fully informed judgment on a directorate/public sector body's performance;
- clearly identify any changes to structures or functions of the directorate/public sector body in the reporting period;
- report on directorate/public sector body financial and operational performance and clearly link this with budgeted priorities and financial projections as set out in annual Budget Estimate Papers and the entity Statement of Intent and Corporate Plan;
- provide performance information that is complete and informative, linking costs and results to provide evidence of value for money;
- discuss risks and environmental factors affecting the directorate/public sector body's ability to achieve objectives including any strategies employed to manage these factors, and forecast future needs and expectations;
- recognise the diverse needs and backgrounds of stakeholder groups and present information in a manner that is useful to the maximum number of users while maintaining a suitable level of detail; and
- comply with legislative reporting requirements including the Annual Reports Act and the Directions.
2.4 Annual reports are public documents and available for use by stakeholders, including educational and research institutions, and the broader community. They provide a valuable tool for public reporting, accountability and transparency.

TIMING AND PRESENTATION OF REPORTS

2.5 The Annual Report Directions for 2018-19 (dated 14 May 2019 and tabled in the Assembly on 16 May 2019) required annual reports to be presented to the responsible Minister before the close of business on Friday 4 October 2019. Unless an extension of time was granted under section 14 of the Act, annual reports were required to be given to the Speaker's Office by the close of business on Friday 11 October 2019.

2.6 All reports examined by the Committee were presented to the Speaker by the required date.

ACCOUNTABILITY INDICATORS

2.7 During the course of hearings examining Access Canberra’ section of the CMTEDD report, it was observed that Access Canberra had ten accountability indicators but only listed achievement against two that exceeded the target by five per cent. The report did not list the three that failed to achieve their target. The Committee was informed that one of the failed targets was missed by 4 per cent and the other two by 1 per cent.¹

COMMITTEE COMMENT

2.8 The Committee believes that, as a key accountability document, annual reports should list all accountability indicators and achievement against them.

Recommendation 1

2.9 The Committee recommends that annual reports present in a table all accountability indicators, success or failure against those indicators and explanations for significant variance.

¹ Transcript of Evidence, 7 November 2019, pp. 72-73.
3 CHIEF MINISTER, TREASURY AND ECONOMIC DEVELOPMENT DIRECTORATE

3.1 The annual report for the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) states that it:

leads the ACT Public Service (ACTPS) working collaboratively with both government and the community to deliver government priorities and drive initiatives aimed at making Canberra a better place to live. The directorate also shapes the strategic direction of the ACTPS to ensure it is well positioned to perform its role. As a central agency, CMTEDD:

- supports the Chief Minister, the directorate’s Ministers and the Cabinet by providing informed and innovative advice;
- provides support and direction across the ACTPS on policy and strategy;
- leads the ongoing development of the ACTPS to best deliver to Ministers and the Canberra community including advising on the structure of the ACTPS, ACT public sector employment legislation and conditions, employment, industrial relations and human resource management;
- drives the evolution of Canberra into a smart and connected digital city, through leading-edge initiatives;
- improves the liveability and productivity of the city in collaboration with business, education institutions and industry partners;
- provides strategic financial and economic advice to the ACT Government with the aim of improving the Territory’s financial position and economic management;
- supports government through the provision of financial, information and communication technology (ICT), human resources and procurement services;
- connects businesses and communities to government through Access Canberra’s ‘one-stop shop’ licensing and regulatory services; and
- keeps the Canberra community informed about what government is doing and involves Canberrans in the decisions that impact their lives.²

GOVERNMENT POLICY REFORM

3.2 The CMTEDD annual report states that:

The directorate, through Policy and Cabinet, provides advice and direction across the ACTPS on complex policy matters, incorporating a central agency coordination role in strategic planning, social and economic policy, regulation reform, regional policy and government information. The directorate supports the Chief Minister, Cabinet and its Subcommittees and the Head of Service as Secretary of Cabinet through the provision of policy and support, secretariat functions and advice. The directorate monitors the progress of government priorities as articulated through the government’s election commitments, the Parliamentary Agreement and strategic priorities.3

3.3 The Committee discussed the following matters:
   - Wellbeing indicators;4
   - Chief Minister’s charitable fund;5
   - Jervis Bay;6
   - LGBTIQ strategy;7
   - Parliamentary Budget Officer;8
   - On-demand transport industry reforms;9
   - Health innovation;10 and
   - MLA communications allowance.11

COORDINATED COMMUNICATION AND COMMUNITY ENGAGEMENT

3.4 The CMTEDD annual report states that:

   The directorate, through Communications and Engagement, provides WoG and directorate communications and engagement advice and services, including for emergency responses.12

3.5 The Committee discussed the following matters:

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4 Transcript of Evidence, 4 November 2019, pp 1-4.
5 Transcript of Evidence, 4 November 2019, pp. 4-12.
8 Transcript of Evidence, 4 November 2019, p. 15.
9 Transcript of Evidence, 4 November 2019, p. 16.
10 Transcript of Evidence, 4 November 2019, pp. 16-17.
11 Transcript of Evidence, 4 November 2019, pp. 18-21.
Online community engagement panels;\textsuperscript{13}
Our Canberra newsletter;\textsuperscript{14} and
Deliberative democracy and citizen juries.\textsuperscript{15}

DIGITAL STRATEGY

3.6 The CMTEDD annual report states that:

The directorate, through the Office of the Chief Digital Officer (OCDO) and in collaboration and partnership with others, drives the digital transformation of ACT Government. The directorate takes advantage of digital and data to achieve:

\begin{itemize}
  \item better services for the community;
  \item more sustainable and efficient government; and
  \item more productive, engaged and learning workforce.\textsuperscript{16}
\end{itemize}

3.7 The Committee discussed the following matter:

\begin{itemize}
  \item Efficiency gains for government.\textsuperscript{17}
\end{itemize}

INFRASTRUCTURE, FINANCE AND CAPITAL WORKS

3.8 The CMTEDD annual report states that:

The directorate, through Infrastructure Finance and Capital Works (IFCW), brings together specialist capability in the management and delivery of capital works as well as the support of selection, funding, implementation and delivery of complex and major infrastructure projects.

The directorate enables and facilitates the planning, financing and delivery of infrastructure for the Territory, core functions comprised:

\begin{itemize}
  \item supporting and advising on Public Private Partnership transactions, including procurement;
  \item advising the government on procurement and related construction industry policy;
  \item supporting Procurement ACT in the development and implementation of the government’s procurement related policies;
\end{itemize}

\textsuperscript{13} Transcript of Evidence, 4 November 2019, pp 4-7.
\textsuperscript{14} Transcript of Evidence, 4 November 2019, pp. 17-18.
\textsuperscript{15} Transcript of Evidence, 4 November 2019, pp. 21-24.
\textsuperscript{16} Chief Minister, Treasury and Economic Development Directorate Annual Report 2018-18, Volume 1, p. 43.
\textsuperscript{17} Transcript of Evidence, 4 November 2019, pp. 6-7.
• managing the delivery phase of major projects on behalf of partner directorates;
• developing and implementing the Capital Framework and the Partnerships Framework: Guidelines for Public Private Partnerships and the Guidelines for Unsolicited Proposals;
• establishing and managing a number of WoG contracts and panels;
• reviewing Public Private Partnerships contract management arrangements;
• providing whole-of-life project transaction support;
• providing commercial support on the assessment of unsolicited proposals; and
• progressing infrastructure reform through new delivery models, improved governance, and better allocation of project risks.  

3.9 The Committee discussed the following matters:
• Notifiable invoice register;  
• Infrastructure plan and community consultation;  
• SPIRE project genesis;  
• Light rail stage 2 split into two parts; and
• Outstanding variations and issues for light rail stage 1.

VENUES

3.10 The CMTEDD annual report states that:
The directorate, through Venues Canberra, oversaw the management of the National Arboretum Canberra, Exhibition Park in Canberra, GIO Stadium, Manuka Oval and Stromlo Forest Park. The directorate promotes these facilities as Canberra’s leading sporting and entertainment venues.

3.11 The Committee discussed the following matters:
• GIO stadium events;
• National Arboretum car parking;

19 Transcript of Evidence, 4 November 2019, pp. 24-25.
21 Transcript of Evidence, 4 November 2019, pp. 30-32.
22 Transcript of Evidence, 4 November 2019, pp. 34-37.
26 Transcript of Evidence, 4 November 2019, p. 32.
- National Arboretum unallocated space;\textsuperscript{27}
- National Arboretum events;\textsuperscript{28}
- National Arboretum soil quality, water allocation and tree failure;\textsuperscript{29}
- Manuka Oval events;\textsuperscript{30} and
- Exhibition Park in Canberra.\textsuperscript{31}

**EXHIBITION PARK IN CANBERRA (EPIC)**

3.12 The Committee noted the 124 major events at EPIC listed in the CMTEDD annual report. There was discussion about the major events and their attendance figures.\textsuperscript{32}

**COMMITTEE COMMENT**

3.13 The Committee believes that further information on the events held at EPIC should be made available in the CMTEDD annual report.

**Recommendation 2**

3.14 The Committee recommends that the CMTEDD annual report include a breakdown of events at EPIC and their attendance.

**INNOVATION, TRADE AND INVESTMENT**

3.15 The CMTEDD annual report states that:

The directorate, through Innovation, Industry and Investment, delivers:

- programs to accelerate the commercialisation of locally generated intellectual property and to enhance the innovation capability of the private sector;
- activities to support the ongoing internationalisation of the ACT economy through trade and investment, and supporting the work of the Commissioner for International Engagement; and

\textsuperscript{27} Transcript of Evidence, 4 November 2019, pp. 32-33.
\textsuperscript{28} Transcript of Evidence, 4 November 2019, p. 33.
\textsuperscript{29} Transcript of Evidence, 4 November 2019, pp. 33-34.
\textsuperscript{30} Transcript of Evidence, 4 November 2019, pp. 38-39.
\textsuperscript{31} Transcript of Evidence, 4 November 2019, pp. 39-41.
\textsuperscript{32} Transcript of Evidence, 4 November 2019, pp. 39-41.
initiatives and policy advice to promote the economic development of the ACT region, in collaboration with the ACT’s universities, research organisations, innovation partners and business organisations.\textsuperscript{33}

3.16 The Committee discussed the following matters:

- Government support to the defence industry;\textsuperscript{34}
- Priority investment programs;\textsuperscript{35}
- Growth in the tertiary education sector;\textsuperscript{36}
- UNSW city campus;\textsuperscript{37}
- Preparations for 5G network;\textsuperscript{38} and
- Staff culture.\textsuperscript{39}

VISIT CANBERRA AND EVENTS

3.17 The CMTEDD annual report states that:

The directorate, through VisitCanberra, develops, implements and evaluates a suite of innovative tourism and events marketing and development programs in partnership with local industry, national bodies and institutions, which aim to support the Territory’s economic development through increased visitation to the ACT and region.\textsuperscript{40}

3.18 Regarding Events the CMTEDD annual report states that:

The directorate, through Events ACT, seeks to manage, support and attract events that are aligned to Canberra’s brand, that deliver strong economic outcomes and that make a valuable contribution to city vibrancy, social cohesion and community pride.

The directorate plans, promotes and delivers a suite of community and tourism events for the local community and visitors to the city annually. The directorate also provides leadership on event related matters to the ACT Government and the event sector, while further contributing to the development of the Canberra events calendar through the administration of the annual ACT Event Fund grant program.\textsuperscript{41}

\begin{flushright}
\textsuperscript{34} Transcript of Evidence, 4 November 2019, pp. 41-43.
\textsuperscript{35} Transcript of Evidence, 4 November 2019, pp. 43-44.
\textsuperscript{36} Transcript of Evidence, 4 November 2019, pp. 44-45.
\textsuperscript{37} Transcript of Evidence, 4 November 2019, pp. 45-46.
\textsuperscript{38} Transcript of Evidence, 4 November 2019, pp. 46-48.
\textsuperscript{39} Transcript of Evidence, 4 November 2019, pp. 48-51.
\textsuperscript{40} Chief Minister, Treasury and Economic Development Directorate Annual Report 2018-18, Volume 1, p. 67.
\textsuperscript{41} Chief Minister, Treasury and Economic Development Directorate Annual Report 2018-18, Volume 1, p. 73.
\end{flushright}
3.19 The Committee discussed the following matters:

- Work to improve average nightly spend of tourists;\(^\text{42}\)
- Floriade and Nightfest;\(^\text{43}\)
- Singapore located VisitCanberra officer; \(^\text{44}\) and
- Telstra tower.\(^\text{45}\)

**ACCESS CANBERRA**

3.20 The CMTEDD annual report states that:

Access Canberra provides a ‘one-stop shop’ for ACT Government customer and regulatory services through the service centres, the contact centre and online services and transactions.\(^\text{46}\)

3.21 The Committee discussed the following matters:

- Road traffic infringement payment plans and withdrawals;\(^\text{47}\)
- Licence Plate Recognition infringements;\(^\text{48}\)
- Audit of building certification and compliance;\(^\text{49}\)
- Building regulatory system reforms;\(^\text{50}\)
- Building licences;\(^\text{51}\)
- Fix my Street;\(^\text{52}\)
- Accountability indicators;\(^\text{53}\)
- Online services;\(^\text{54}\)
- Phone call dropouts;\(^\text{55}\)
- Driver licences and shop fronts;\(^\text{56}\)

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\(^{42}\) Transcript of Evidence, 4 November 2019, pp. 51-53.
\(^{43}\) Transcript of Evidence, 4 November 2019, pp. 53-55.
\(^{44}\) Transcript of Evidence, 4 November 2019, pp. 55-56.
\(^{45}\) Transcript of Evidence, 4 November 2019, pp. 56.
\(^{48}\) Transcript of Evidence, 7 November 2019, pp. 63-65.
\(^{49}\) Transcript of Evidence, 7 November 2019, pp. 65-68.
\(^{50}\) Transcript of Evidence, 7 November 2019, p. 69.
\(^{51}\) Transcript of Evidence, 7 November 2019, pp. 69-70.
\(^{52}\) Transcript of Evidence, 7 November 2019, pp. 70-72.
\(^{53}\) Transcript of Evidence, 7 November 2019, pp. 72-73.
\(^{54}\) Transcript of Evidence, 7 November 2019, pp. 76-77.
\(^{55}\) Transcript of Evidence, 7 November 2019, pp. 76-77.
\(^{56}\) Transcript of Evidence, 7 November 2019, pp. 77-79.
- Digital IDs;\(^{57}\)
- Event organiser support;\(^{58}\)
- Activities in Jervis Bay;\(^{59}\)
- Building and planning law complaint case management;\(^{60}\) and
- Call centre staff welfare.\(^{61}\)

**Fix My Street**

3.22 The Committee asked about responses to requests on the Fix My Street website for infrastructure improvements that are not intended to be covered by the website. Officials informed the Committee that:

Fix my street is not intended to be a place for people to request new services [...]. Our policy is that all jobs should be closed at whatever point, so a response should go back to the customer regardless of whether action can be taken.\(^{62}\)

We work on a “no wrong door” policy; it is not that we would ever push a customer away from taking that avenue, but there are places for people to request that sort of work, which is not directly through the fix my street site.\(^{63}\)

**Committee Comment**

3.23 The Committee believes that the Fix My Street website could be improved by clear links to services that Fix My Street is not intended to cover, particularly requests for new services or capital upgrades.

**Recommendation 3**

3.24 The Committee recommends that the Fix My Street website and app include a statement that it is not for requesting new services or infrastructure and direct users to the appropriate places to make such requests.

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\(^{57}\) Transcript of Evidence, 7 November 2019, pp. 78-79.

\(^{58}\) Transcript of Evidence, 7 November 2019, pp. 79-80.

\(^{59}\) Transcript of Evidence, 7 November 2019, pp. 82-83.

\(^{60}\) Transcript of Evidence, 7 November 2019, pp. 83-84.

\(^{61}\) Transcript of Evidence, 7 November 2019, pp. 86-88.

\(^{62}\) Transcript of Evidence, 7 November 2019, p. 71.

\(^{63}\) Transcript of Evidence, 7 November 2019, p. 72.
DIGITAL DRIVERS LICENCES

3.25 The Committee asked about restrictions around driver’s licence printing. Officials informed the Committee that the ACT is the last jurisdiction to move to a service where:

customers who present to the service centre will receive an interim licence, which is a piece of paper instead of a plastic card. We will print the card itself and mail it out to them within 21 working days. We have had a significant uptake of online renewal for drivers licences, and licences for all those people are already mailed out.64

3.26 The Minister then informed the Committee that the ACT Government was hoping to implement digital drivers licences by 2021.65 When asked what the core identity document would be the Minister told the Committee that:

It can still be your birth certificate, for example. We are leading the country with an electronic birth certificate. In the not too distant future, you will be able to go to an ACT birthing place, whether it is a hospital or not, and not need to receive a physical birth certificate; it will be digital.66

3.27 The Committee raised questions about how the document would be accessed as a form of identification if a person did not have their phone or the device was flat. The Minister noted that there “is still a fair bit of work to go” and the ability to access a physical licence was part of the discussion. Officials told the committee that digital licences will not be compulsory and physical copies will remain an option.67

COMMITTEE COMMENT

3.28 The Committee acknowledges that there is further policy development and consultation to be undertaken in this area. The Committee notes that there are a number of challenges for moving a key evidence of identity document, such as a driver’s licence, to a digital format. These include providing for those who do not carry digital devices with them, providing for those whose devices are out of power, achieving recognition of validity outside the ACT and transitioning the various processes that accept drivers licences as a form of identification to accepting a digital version.

64 Transcript of Evidence, 7 November 2019, p. 77.
65 Transcript of Evidence, 7 November 2019, p. 78.
66 Transcript of Evidence, 7 November 2019, p. 78.
67 Transcript of Evidence, 7 November 2019, p. 79.
Recommendation 4

3.29 The Committee recommends that once digital drivers’ licences are introduced, the ACT Government continue to make accessible a hard-copy identity document.

GOODS AND SERVICES PROCUREMENT

3.30 The CMTEDD annual report states that:

The directorate, through Procurement ACT, supports goods and services procurement activities of government directorates and agencies by:

- supporting agencies to achieve value for money procurement outcomes;
- developing and implementing the government’s procurement related policies;
- offering training and support to procurement staff across government;
- establishing and managing WoG contracts; and
- administering online tendering and procurement support systems.

The directorate is a focal point within government for guidance, advice and support to deliver strong procurement outcomes across government through effective planning, strategies, practices and policies. Procurement ACT is also responsible for providing advice and support to implement the Government Procurement Act 2001 and Government Procurement Regulation 2007 and provides secretariat support to the Government Procurement Board.68

3.31 The Committee discussed the following matters:

- ACT Government Procurement Board and involvement in light rail stage 2;69
- ACT Government Procurement Board deliberations;70
- Secure Local Jobs Code briefings;71
- Sustainable procurement policy;72
- Aboriginal and Torres Strait Islander procurement policy;73
- Compliance with procurement guidelines;74

69 Transcript of Evidence, 8 November 2019, pp. 92-93.
70 Transcript of Evidence, 8 November 2019, pp. 93-95.
71 Transcript of Evidence, 8 November 2019, pp. 95-96.
72 Transcript of Evidence, 8 November 2019, pp. 96-97.
73 Transcript of Evidence, 8 November 2019, pp. 97-98.
• Socially responsible procurement; 75
• Notifiable invoices and link to contracts register; 76
• Labour relations and training workplace equity plan monitoring; 77
• Whole of government contract with Comensura; 78 and
• Whole of Government tender for professional consulting services panel. 79

NOTIFIABLE INVOICES

3.32 The Committee asked about the notifiable invoices register. Officials informed the Committee that all non-internal invoices over $25,000 are published on the register along with a reasonable explanation of what the invoice is for. 80

3.33 The Committee asked about linking notifiable invoices to the contract register. Officials informed the Committee that they were nearing completion of a pilot they had been:
running through TCCS on an ICT solution for low-level, low-risk procurement that will automatically link work orders, other contract mechanisms and any invoices to its underpinning contract. 81

3.34 Officials informed the Committee that:
We do not have a single system that covers the whole of government that collects information on procurements and invoices. The current notifiable invoices system is a very manual process. 82

3.35 The Committee asked about data from the notifiable invoices register being uploaded to dataACT with two different date conventions, scrambling the data. Officials informed the Committee that they were unaware of this issue and committed to addressing it. 83

COMMITTEE COMMENT

3.36 The Committee noted delays in having invoices uploaded to the register.
Recommendation 5

3.37 The Committee recommends that the ACT Government ensures that the notifiable invoices register is updated in a timely manner.

3.38 The Committee noted the pilot linking a limited number of invoices to their underpinning contract. The Committee also notes the limitations of the current system based on a large degree of manual operation and differing IT systems. The Committee understands that efforts to improve the notifiable invoices register have been underway for some time but is unaware whether there exists a clear timetable for completion.

Recommendation 6

3.39 The Committee recommends that the Minister for Government Services and Procurement, by the last sitting in June 2020, provide the Assembly with an update on efforts to allow the notifiable invoices register to include data identifying the contract that each invoice was issued under, including target dates for completing significant stages of the project.

Recommendation 7

3.40 The Committee recommends that Procurement ACT ensure that a consistent date convention is used in the notifiable invoices register to ensure that it can be accurately searched by date.

Whole of Government Panels

3.41 The Committee asked about whole of government panels and how Procurement ACT ensures that they are used by Directorates. Officials informed the Committee that:

Procurement ACT takes the contract management role in the whole-of-government panels as well, so we are very interested in what we term “leakage” off those panels, where some services might be procured that would fit within the parameters of the panel but are not using the panel.

To be perfectly frank, we have limited capacity to monitor that. We do go on general ledger spend analysis from time to time, to see where agencies are spending their money, then do a cross-check as to how that correlates with our records of expenditure against the panel. The framework in the territory is that while we have whole-of-government panels, the directors-general are not necessarily bound to use them. It is not something where we can go in with a big stick. It is very much more a
case of proving the worth of the panel and getting people to come along of their own volition.84

COMMITTEE COMMENT

3.42 The Committee believes that the ACT government is not realising the full benefits of whole of government procurement panels. Procurement processes can impose significant time and resource costs on business and the public sector. The Committee believes that the efforts of ACT Procurement and businesses to establish whole of government panels may be undermined by a lack of uptake by individual agencies. While there may be occasions where the panel cannot meet the needs of a particular procurement, we would expect those to be relatively rare.

Recommendation 8

3.43 The Committee recommends that the ACT Government consider mandating the use of whole of government panels by directorates, except where a case is made for exemption for particular procurements.

PROPERTY SERVICES AND COMMUNITY FACILITIES

3.44 The CMTEDD annual report states that:

The directorate, through ACT Property Group (ACTPG), manages 241 Territory-owned commercial buildings, government office accommodation, community/multipurpose buildings, aquatic/leisure centres and 40 leases in commercial buildings on behalf of the Territory. This also includes blocks of land, several unique properties, such as converted schools that have been adapted to provide accommodation for community organisations and various significant heritage sites such as Albert Hall and the Tuggeranong Homestead.85

3.45 The Committee discussed the following matters:

- Causeway and Oaks Estate community halls;86
- Yarramundi Cultural Centre;87
- Public liability insurance;88

84 Transcript of Evidence, 8 November 2019, p. 114.
86 Transcript of Evidence, 8 November 2019, p. 113.
87 Transcript of Evidence, 8 November 2019, p. 115.
88 Transcript of Evidence, 8 November 2019, pp. 115-117.
Process for improvements to community facilities;\textsuperscript{89}

Community facilities in new suburbs;\textsuperscript{90} and

Government owned commercial buildings. \textsuperscript{91}

\section*{ARTS ENGAGEMENT}

3.46 The CMTEDD annual reports states that:

The directorate, through artsACT, is the ACT Government’s arts agency. artsACT provides policy and funding advice to government, manages the ACT Arts Fund and a range of other arts development and funding initiatives. artsACT also manages the ACT Government’s public art collection of over 100 artworks, oversees the development and management of ACT arts facilities, and maintains links with other arts and cultural organisations in Australia and internationally. \textsuperscript{92}

3.47 The Committee discussed the following matters:

- Community arts officer in Gungahlin;\textsuperscript{93}
- Art installation in Throsby;\textsuperscript{94}
- Kingston Arts Precinct;\textsuperscript{95}
- Fitters workshop;\textsuperscript{96}
- Belconnen Arts Centre stage 2;\textsuperscript{97}
- Minister’s Creative Council;\textsuperscript{98}
- Arts organisation funding;\textsuperscript{99}
- Public art program;\textsuperscript{100} and
- Arts infrastructure.\textsuperscript{101}

\begin{footnotesize}
\textsuperscript{89} Transcript of Evidence, 8 November 2019, pp. 117-118.
\textsuperscript{90} Transcript of Evidence, 8 November 2019, pp. 118-120.
\textsuperscript{91} Transcript of Evidence, 8 November 2019, pp. 120-123.
\textsuperscript{92} Chief Minister, Treasury and Economic Development Directorate Annual Report 2018-18, Volume 1, p. 76.
\textsuperscript{93} Transcript of Evidence, 8 November 2019, p. 126.
\textsuperscript{94} Transcript of Evidence, 8 November 2019, pp. 126-127.
\textsuperscript{95} Transcript of Evidence, 8 November 2019, pp. 127-128.
\textsuperscript{96} Transcript of Evidence, 8 November 2019, pp. 128-129.
\textsuperscript{97} Transcript of Evidence, 8 November 2019, p. 129.
\textsuperscript{98} Transcript of Evidence, 8 November 2019, pp. 129-130.
\textsuperscript{99} Transcript of Evidence, 8 November 2019, pp. 130-131.
\textsuperscript{100} Transcript of Evidence, 8 November 2019, p. 131.
\textsuperscript{101} Transcript of Evidence, 8 November 2019, pp. 131-132.
\end{footnotesize}
CULTURAL FACILITIES CORPORATION

3.48 The Cultural Facilities Corporation (CFC) annual report states that:

The CFC was established under the Cultural Facilities Corporation Act 1997 (the CFC Act), which came into operation as from 1 November 1997.

The functions of the CFC, as set out in the CFC Act (Section 6) are:

- to manage, develop, present, coordinate and promote cultural activities at designated locations and other places in the ACT;
- to establish and research collections;
- to conserve and exhibit collections in the possession or under the control of the CFC;
- to undertake activities, in cooperation with other people if appropriate, to exercise its other functions; and
- to exercise other functions given to the CFC under this Act or another Territory Law.

The CFC is responsible for:

- the Canberra Theatre Centre;
- CMAG;
- the Nolan Collection Gallery @ CMAG; and
- the ACT Historic Places: Lanyon, Calthorpes’ House and Mugga-Mugga.102

3.49 The Committee discussed the following matters:

- Planning for a new Canberra Theatre Centre;103 and
- CMAG upgrade.104

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103 Transcript of Evidence, 8 November 2019, pp. 124-126.
104 Transcript of Evidence, 8 November 2019, pp. 132-133.
4 ENVIRONMENT, PLANNING AND SUSTAINABLE DEVELOPMENT DIRECTORATE

4.1 The Environment, Planning and Sustainable Development Directorate (EPSDD) annual report states that the directorate manages:

a wide range of policies and programs to deliver on the ACT Government’s key planning, land management and environment priorities.\(^{105}\)

PLANNING AND BUILDING POLICY

4.2 The Committee discussed the following matters:

- Flammable cladding;\(^{106}\)
- Energy efficiency standards;\(^{107}\)
- Building levy increase;\(^{108}\)
- Prospect of ending private building certification;\(^{109}\)
- Building surveyors;\(^{110}\)
- Design review panel for high-rise buildings;\(^{111}\) and
- Social media outreach on building and construction.\(^{112}\)

DESIGN REVIEW PANEL

4.3 The Committee asked about the design review panel for buildings five stories and above and what role they have with construction that does not adhere to public plans. Officials explained that:

The design and review panel is an input into the planning process, as I said. The development assessment team considers the advice of the design and review panel in making its decision. We can then include conditions around the key design elements, in terms of those having to be maintained and not amended over time. As the building is being constructed, there is sometimes a desire to amend certain aspects. We can lock

\(^{105}\) Transcript of Evidence, 7 November 2019, pp. 58-61.
\(^{106}\) Transcript of Evidence, 7 November 2019, pp. 73-76.
\(^{107}\) Transcript of Evidence, 7 November 2019, p. 80.
\(^{108}\) Transcript of Evidence, 7 November 2019, pp. 80-81.
\(^{109}\) Transcript of Evidence, 7 November 2019, p. 82.
\(^{110}\) Transcript of Evidence, 7 November 2019, pp. 84-86.
\(^{111}\) Transcript of Evidence, 7 November 2019, pp. 88-90.
that in through the development and assessment process, but any terms of enforcement would be through our colleagues in Access Canberra, not the design and review panel. That is not its purpose.

**COMMITTEE COMMENT**

4.4 The Committee is aware that there is community concern about construction outcomes that differ materially from plans that the public have viewed and on which they have been consulted. While the design review panel may not have a role in enforcement, the Committee believes it would be worthwhile to audit a sample of projects on which the panel had input and assess them against the final build. This would assist government in determining whether issues lie in planning, certification, compliance or enforcement.

**Recommendation 9**

4.5 The Committee recommends that the ACT Government, after sufficient operation of the design review panel, audit a sample of finished builds that received input from the panel and determine the reason for any variations from the agreed plans.
5 CONCLUSION

5.1 The Committee thanks the Ministers and officials that appeared before the Committee and provided answers to submitted questions.

5.2 The Committee has made 9 recommendations.

Mr Jeremy Hanson MLA
Chair
25 March 2020
APPENDIX A - WITNESSES

MONDAY 4 NOVEMBER 2019

- Mr Andrew Barr, Chief Minister, Treasurer, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment;
- Ms Kathy Leigh, Head of Service, CMTEDD;
- Mr David Nicol, Under Treasurer, CMTEDD;
- Ms Kareena Arthy, Deputy Director-General, Economic Development, CMTEDD;
- Mr David Colussi, Executive Branch Manager, Digital Experience, Office of the Chief Digital Officer, CMTEDD;
- Ms Leesa Croke, Deputy Director-General, Policy and Cabinet, CMTEDD;
- Mr Sam Engele, Executive Group Manager, Policy and Cabinet, CMTEDD;
- Ms Anita Perkins, Executive Group Manager, Communications and Engagement, CMTEDD;
- Mr Glenn Bain, Executive Group Manager, Procurement ACT, Commercial Services and Infrastructure, CMTEDD;
- Mr Matthew Elkins, Acting Executive Branch Manager, Venues Canberra, Property and Venues, CMTEDD;
- Mr Scott Saddler, Senior Director, National Arboretum Canberra, Property and Venues, CMTEDD;
- Mr David Asteraki, Director, Infrastructure Finance, Infrastructure Finance and Reform, CMTEDD;
- Ms Liz Clarke, Executive Branch Manager, ACT Property Group, Property and Venues, CMTEDD;
- Mr Sean Kelly, Senior Director, Policy and Strategy, Innovation, Industry and Investment, CMTEDD;
- Ms Kate Starick, Executive Group Manager, Strategy and Policy, CMTEDD;
- Mr Jonathan Kobus, Executive Branch Manager, VisitCanberra, CMTEDD; and
- Ms Jo Verden, Executive Branch Manager, Events ACT, CMTEDD.

THURSDAY 7 NOVEMBER 2019

- Mr Mick Gentleman, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management, and Minister for Police and Emergency Services Witness
- Mr David Pryce, Deputy Director-General, Access Canberra, CMTEDD;
- Mr Ben Green, Executive Branch Manager, Construction and Utilities, Access Canberra, CMTEDD;
- Ms Chantel Potter, Executive Branch Manager, Fair Trading and Compliance, Access Canberra, CMTEDD;
Ms Derise Cubin, Executive Branch Manager, Licensing and Registrations, Access Canberra, CMTEDD;
Ms Yu-Lan Chan, Executive Branch Manager, Projects, Governance and Support, Access Canberra, CMTEDD;
Mr Josh Rynehart, Executive Branch Manager, Customer Coordination, Access Canberra, CMTEDD;
Mr Ben Ponton, Director-General, EPSDD;
Dr Erin Brady, Deputy Director-General, Land Strategy and Environment, EPSDD;
Ms Karen Wilden, Executive Branch Manager, Engagement and Executive Support, EPSDD; and
Ms Vanessa Morris, Coordinator, Building Policy, EPSDD.

FRIDAY 8 NOVEMBER 2019

Ms Suzanne Orr, Minister for Community Services and Facilities, Minister for Disability, Minister for Employment and Workplace Safety, Minister for Government Services and Procurement;
Mr David Nicol, Under Treasurer, CMTEDD;
Ms Meredith Whitten, Deputy Director-General, Workforce Capability and Governance, CMTEDD;
Mr Shaun Strachan, Deputy Under Treasurer, Commercial Services and Infrastructure, CMTEDD;
Mr Glenn Bain, Executive Group Manager, Procurement ACT, Commercial Services and Infrastructure, CMTEDD;
Mr David Purser, Executive Branch Manager, Goods and Services Procurement, Procurement ACT, Commercial Services and Infrastructure, CMTEDD;
Mr Andrew Parkinson, Secure Local Jobs Code Registrar, Workforce Capability and Governance, CMTEDD;
Mr Daniel Bailey, Executive Group Manager, Property and Venues, Commercial Services and Infrastructure, CMTEDD;
Ms Liz Clarke, Executive Branch Manager, ACT Property Group, Property and Venues, Commercial Services and Infrastructure, CMTEDD;
Ms Rachel Stephen-Smith, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Health and Minister for Urban Renewal;
Ms Kareena Arthy, Deputy Director-General, Economic Development, CMTEDD;
Ms Sam Tyler, Executive Branch Manager, artsACT, CMTEDD; and
Ms Harriet Elvin, Chief Executive Officer, CFC.
### APPENDIX B – QUESTIONS TAKEN ON NOTICE / QUESTIONS ON NOTICE

Questions taken on Notice

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<td>4/11/19</td>
<td>COE</td>
<td>CMTEDD</td>
<td>What governance arrangements are in place for the Chief Minister’s charitable fund?</td>
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<td>COE</td>
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<td>MILLIGAN</td>
<td>Venues</td>
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<td>No.</td>
<td>Hearing date</td>
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<td>4/11/19</td>
<td>MILLIGAN</td>
<td>Venues</td>
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<td>C BURCH</td>
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<td>No.</td>
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<td>Directorate/Portfolio</td>
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<td>27</td>
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<td>CMTEDD</td>
<td>What proportion of notifiable invoices in the register come from the Oracle system?</td>
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<td>CMTEDD</td>
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<td>32</td>
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<td>MILLIGAN</td>
<td>Property Services</td>
<td>Can you provide a breakdown of tenants and rental arrangements for territory-owned commercial buildings?</td>
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<td>Attendance at Gungahlin Community Arts Officer events</td>
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<td>LE COUTEUR</td>
<td>CMTEDD</td>
<td>How much and what kind of training will Directorate officials receive in the application of the indicators and specifically, in the implementation of wellbeing analysis and impact processes when developing policy, programs and services?</td>
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<td>Visit Canberra</td>
<td>Visit Canberra digital marketing campaign</td>
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