

2024

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

TENTH ASSEMBLY

**Select Committee on Estimates – Appropriation Bill 2024-25 and
Appropriation (Office of the Legislative Assembly) Bill 2024-25**

Government Response

**Presented by
Andrew Barr MLA
Treasurer
August 2024**



ACT
Government

Government Response to the Select Committee on Estimates 2024-2025

*Inquiry into the Appropriation Bill
2024-2025 and Appropriation (Office
of the Legislative Assembly) Bill
2024-2025*

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Introduction

The 2024-25 Budget was developed to focus on our wellbeing priority areas and deliver more public health services, provide targeted cost of living relief, and improve housing choice, affordability and access. A focus on strategic infrastructure continues, with investments that promote job creation, carbon emissions reduction, and modernise our schools, health facilities and public transport, strengthening our City's infrastructure and creating a sustainable urban landscape for future generations. Recognising the continued economic challenges experienced by households, families and others within our community struggling with higher than usual cost of living pressures, we have introduced carefully calibrated changes to concessions that will help more Canberrans through these challenging times.

Following the ACT Legislative Assembly Select Committee on Estimates 2024-2025 – Inquiry into *Appropriation Bill 2024-2025* and *Appropriation (Office of the Legislative Assembly) Bill 2024-2025* held between 22 July and 5 August 2024, the Select Committee on Estimates 2024-2025 released its [report](#)¹ on 16 August 2024. The Government's consolidated responses to the Committee's recommendations are included below.

The Government wishes to acknowledge the role played by the Select Committee in scrutinising the Budget, and we have endeavoured to respond fully to the questions asked during the process.

The Select Committee on Estimates engaged the services of Pegasus Economics in undertaking an independent and detailed study of the Territory's Budget. The Pegasus Report addressed a range of issues relating to technical assumptions of the Budget and its outcomes. On 23 July 2024, the Government provided a [response](#)² to the Chair of the Select Committee addressing the themes of interest raised in that report.

The Government thanks the Select Committee for its report, which has made 74 recommendations on issues that effectively span the full spectrum of government service delivery and financial management. In our response, the Government has:

- agreed to 7 recommendations;
- agreed in principle to 11 recommendations;
- acknowledged that 31 recommendations relate to an existing Government policy; and
- noted 25 recommendations.

¹ Select Committee on Estimates 2024-2025 Report:

https://www.parliament.act.gov.au/_data/assets/pdf_file/0009/2551329/Committee-report-Estimates-2024-2025.pdf

² ACT Government Response to Pegasus Review:

https://www.parliament.act.gov.au/_data/assets/pdf_file/0009/2537271/Estimates-2024-2025-Submission-005-Chief-Minister.pdf

The Government is open and transparent in its budget papers and related documentation to ensure that our practices strengthen the integrity and accountability of the management of the Territory's public finances. The Government's full responses to the recommendations of the Select Committee are detailed in the following pages.

Response to Recommendations

Recommendation 1

The Committee recommends that additional time is provided for Committee deliberations as well as additional time between end of hearings and report tabling, to ensure answers to QTONs and QONs are provided and can be considered by the Committee.

Government response

Agreed in principle.

The establishment and conduct of Estimates Committees is outlined under chapter 20 of the *ACT Legislative Assembly's Standing Orders and Continuing Resolutions of the Assembly*³. Reporting arrangements, timeframes and responses are outlined under orders 218 and 254D. Consequently, this a matter for consideration by the Assembly.

Future Legislative Assembly sitting dates can take account of the request for increased time, noting that election years will be constrained by the commencement of the caretaker period.

Estimates timing is a matter for the Committee. Ministers will endeavour to answer questions quickly. Members can assist by lodging questions early and considering what may be possible to be answered within the allocated timeframes. The Committee may consider reducing the timeframe for lodging questions on notice to allow the Committee more time to consider responses from Ministers.

Recommendation 2

The Committee recommends that the ACT Government consider identifying suitable land for a wombat sanctuary within the ACT, in consultation with Wombat Rescue.

Government response

Agreed in principle.

The Government agrees to further discuss wombat management matters with Wombat Rescue to understand the objective and business requirement for a proposed wombat sanctuary.

³ACT Legislative Assembly's Standing Orders and Continuing Resolutions of the Assembly:
https://www.parliament.act.gov.au/_data/assets/pdf_file/0010/2465722/Standing-Orders-as-at-6-June-2024.pdf

Recommendation 3

The Committee recommends that the ACT Government provide funding for a full-time dedicated wildlife vet.

Government response

Noted.

The Government has previously examined this matter with its position described in its response to the Legislative Assembly Inquiry into Environmental Volunteerism tabled in the Assembly on 21 March 2023.

In the 2024-25 Budget, the Government provided additional funding to ACT Wildlife over two-years to support veterinary care costs.

Planned delivery of the Government's commitment to provide a new facility for the RSPCA in Pialligo will provide opportunities to consider wildlife veterinary care needs as part of the expanded facility.

The Government will monitor and evaluate the outcomes of the 2024-25 provision of additional funding for veterinary to ACT Wildlife to inform future decisions.

Recommendation 4

The Committee recommends that the ACT Government provide small wildlife and environmental non-government organisations with a clear indication of future funding to assist in maintaining sustainable operations.

Government response

Agreed in principle.

The Government acknowledges the importance to small wildlife and environmental non-government organisation of having an early and clear indication of government funding intentions.

The Government will continue to engage as early as possible with entities to discuss the ongoing need for, type and level of the service, and how potential funding will be considered as part of government budget processes.

Recommendation 5

The Committee recommends that the ACT Government should commit to increasing funding for Kidsafe ACT.

Government response

Noted.

The Government has provided funding to Kidsafe ACT since 1995. The current Service Funding Agreement includes funding of \$196,800 p.a. (GST exclusive) and expires on 30 June 2025.

In May 2024, Kidsafe ACT was provided with a one-off funding boost of \$59,000 (GST exclusive) to assist with ongoing service provision while a commissioning process is undertaken ahead of the end of the current arrangement.

As part of this commissioning process, the ACT Health Directorate is working with Kidsafe ACT to gather further information and a detailed costing of their current services and the Kidsafe ACT funding proposal.

Recommendation 6

The Committee recommends that the ACT Government consider whether the Screen Investment Fund should be opened to the Interactive Games (video games) industry and whether the 10 percent Screen Attraction fund should be opened to the video games industry.

Government response

Agreed in principle.

The Screen Investment Fund (SIF) is limited to screen productions and it is due to expire on 30 June 2025. The Screen Attraction Fund (SAF) was established as a pilot program in 2022 to attract high budget screen productions to the ACT. The SAF was fully expended in late 2023, and no further funds have been committed. Any continuation of the SIF and/or the SAF, and its scope (including the Interactive Games industry), will be dependent on future decisions of government and budget processes.

Recommendation 7

The Committee recommends that the ACT Government consider applying the indexation of arts funding on a calendar year basis.

Government response

Noted.

The Deeds of Grant provided to arts organisations funded through the Arts Organisation Investment Program state that indexation will be payable from 2024 if available, and to be determined by the Territory.

For 2024-25 indexation of 2.5 per cent was applied to recurrent funding received for the ACT Arts Fund. As such, 2.5 per cent indexation was calculated against each arts organisation's annual base funding and provided in full in their 31 July 2024 instalment. In addition, the 2024-25 Budget funded an additional one-off payment of \$200,000 to arts organisations which was also provided in the July instalment. This additional funding resulted in a 4.74 per cent increase on each organisation's base funding in this financial year.

Recommendation 8

The Committee recommends that the ACT Government should clearly differentiate funding for development of arts infrastructure, such as the Canberra Theatre Centre, from funding for the arts.

Government response

Existing Government policy.

The Budget papers specify whether funding for initiatives is either capital or expense. The Arts Funding at a Glance www.arts.act.gov.au/funding/arts,-culture-and-creative-funding-at-a-glance also identifies the different type of funding supporting the arts, culture and creative sectors.

New Initiatives are detailed in Chapter 3.2 of the Budget Outlook. Each initiative has a financial table specifying capital and expense funding, as well as a detailed description of what the funding will deliver.

Recommendation 9

The Committee recommends the ACT Government continue to work with major stakeholders for the Kingston Arts Precinct, particularly in terms of providing clarity on timeline, cost, and responsibilities for organisations moving to the precinct.

Government response

Existing Government policy.

The Government will continue to work with arts organisations on the development of the Kingston Arts Precinct, including providing support to the arts organisations locating to the Precinct.

Recommendation 10

The Committee recommends the ACT Government continue to monitor and where necessary update the ACT Small Business Strategy 2023–2026.

Government response

Existing Government policy.

The ACT Small Business Strategy will continue to be monitored and there is flexibility within the Strategy's actions to adapt the measures if necessary.

Recommendation 11

The Committee recommends that the ACT Government amend the Public Sector Management Act 1994 to ensure that all of the provisions on merit and equity described in section 27 of the Act also apply to the engagement and re-engagement of the Head of Service by the Chief Minister.

Government response

Noted.

Initial appointment is on the basis of an open competitive process consistent with the merit and equity provisions. Continuity of senior executives who are performing to expectations, including the Head of Service, contributes to the effective and efficient functioning of an ACT Public Service.

Recommendation 12

The Committee recommends that the ACT Government ensure that potentially affected residents are always advised of upcoming works at the Mugga Lane Resource Management Centre, including if works have been delayed so issues may be ongoing for some time.

Government response

Existing Government policy.

Works at the Mugga Lane Landfill, with the potential to cause odour, are currently notified on the City Services 'Recycling and Waste'⁴ webpage. Notified details include a description of the works and its operational status (e.g. ongoing or on hold). As explained in evidence provided to the Committee, the Government also wrote to residents in Chisholm, Fadden, Gilmore, Gowrie and

⁴ City Services 'Recycling and Waste' webpage:
<https://www.cityservices.act.gov.au/recycling-and-waste>

Macarthur in September 2023, March 2024 and June 2024 with updates on the project. The Government will continue to keep residents informed via the City Services website and letterbox drops as the project continues.

Recommendation 13

The Committee recommends that the ACT Government amend legislation to allow for privacy for sexual assault complainants.

Government response

Agreed in principle.

The Government, through the Office of Industrial Relations and Workforce Strategy, will liaise with the work safety regulator, Justice and the Community Safety Directorate, and the ACT Work Health and Safety Council to develop a reform proposal that would expand the application of non-publication protections under the *Evidence (Miscellaneous Provisions) Act 1991* to proceedings under the *Work Health and Safety Act 2011*.

Recommendation 14

The Committee recommends that the ACT Government proactively publish documents relating to the Big Canberra Battery Project as soon as they are no longer confidential.

Government response

Agreed.

The Government will identify material for publication on an ongoing basis when the need for confidentiality ceases. Information will be published on the Big Canberra Battery website⁵.

Recommendation 15

The Committee recommends that the ACT Government ensure any future rounds of the Social Enterprise Grants program allow adequate time for social enterprises to make an application.

Government response

Existing Government policy.

⁵ Big Canberra Battery website:

<https://www.climatechoices.act.gov.au/policy-programs/big-canberra-battery>

The Government has engaged The Mill House Ventures to administer the ACT Social Enterprise Grant Program. The Government is working with The Mill House Ventures on its planning for the second round of the program, including when the program will be open for applications.

Recommendation 16

The Committee recommends that the ACT Government review its proofreading policy prior to the Budget Papers to ensure accuracy and prevent misinterpretation.

Government response

Existing Government policy.

Rigorous protocols to ensure accuracy are in place and clear guidance is provided to officials across the ACT Public Service involved in proofreading the Budget Papers.

In the event an error is identified, advice is provided to the Committee as soon as practicable, and a corrigendum is presented to the Legislative Assembly on the next available sitting day. To ensure full transparency, any corrigenda are also published on the Treasury Budget Papers website.

Recommendation 17

The Committee recommends that, as part of any future review of the Financial Management Act 1996, consideration be given to how the Financial Management Act 1996 interacts with the Integrity Commission Act 2018 and the Public Sector Management Act 1994, as well as employment and human rights laws and obligations in the event a public service employee or office holder has an adverse finding against them by the Integrity Commissioner.

Government response

Agreed in principle.

The Government has agreed to a review of the *Financial Management Act 1996*. The scope of that review is still being finalised.

Recommendation 18

The Committee recommends that the ACT Government expands the CIT Gungahlin footprint, offering more study options/courses to north-side residents.

Government response

Noted.

CIT regularly monitors the training demands at each campus and opportunities for expansion of course offerings and options, including at CIT Gungahlin. CIT will consider further opportunities to expand the offering at the Gungahlin campus in line with community priorities and student demand.

Recommendation 19

The Committee recommends that Industry Skills Plans be given priority.

Government response

Existing Government policy.

The Government has been developing Industry Action Plans following the launch of *Skilled to Succeed: skills and workforce agenda for the ACT*⁶ as a matter of priority and has been consulting with industry and training providers on proposed actions. The actions under the Industry Action Plans will be delivered alongside current work to deliver the National Skills Agreement.

Recommendation 20

The Committee recommends that the ACT Government coordinate with the community organisation, Azadi-e Zan, to scope the potential for a pilot of a Skilled Migration Visa pathway for skilled migrants from Afghanistan, Iran and Pakistan.

Government response

Noted.

The Commonwealth Government is responsible for visa pathways and the ACT Government manages the Skilled Migration nomination process. Changes to the Skilled Migration nomination process, and consideration of any specific programs for particular migrants, will be a decision for a future government.

Recommendation 21

That the ACT Government update its procurement processes to require that ACT Government contracts include a clause that states service providers have a duty to act in the public interest when delivering work for the ACT Government.

⁶*Skilled to Succeed: skills and workforce agenda for the ACT:*

https://www.act.gov.au/__data/assets/pdf_file/0012/1992990/Skilled-to-Succeed.pdf

Government response

Agreed in principle.

The Government has introduced an extensive updated suite of legislative and procedural reforms, including an enhanced role for the Government Procurement Board which will help to ensure decisions around procurements and successful suppliers to the Government are extensively evaluated both prior to, and during a contract. The Government is continuing to update its contractual templates in accordance with the new legislative requirements and will give consideration to whether existing provisions are sufficient or could be enhanced to specifically address this Recommendation.

Recommendation 22

The Committee recommends that the ACT Government identify and consider the costs of the ACT Insurance Authority becoming an APRA-regulated insurer for the purposes of offering insurance to community sector organisations.

Government response

Noted.

This is a complex area with multiple, significant considerations for Government, which would not be able to be fully considered and achieved in this term of government.

Recommendation 23

The Committee recommends that the ACT Government determine a timeline for completing the Sector Sustainability Project.

Government response

Existing Government policy

The Government has funded the Sector Sustainability Project until December 2024. On completion of the Project, the Government will consider next steps.

Recommendation 24

The Committee recommends that the Commissioning processes for community services and health sectors be finalised as soon as possible to give certainty to organisations.

Government response

Agreed.

The Government, via the Community Services and ACT Health Directorates has plans in place to work through the commissioning cycle and are working towards finalising commissioning processes for the community services and health sectors as soon as possible. Where required, agreements have been extended to support sector sustainability.

Recommendation 25

The Committee recommends that the ACT Government ensure Access Canberra shopfronts and Libraries ACT Staff are adequately resourced and supported to assist older Canberrans to apply for a Seniors Card, especially in relation to the MyWay card upgrades.

Government response

Existing Government policy

Access Canberra and ACT Libraries staff will be supplied with resources showing the ease of creating a new MyWay+ account and ordering or purchasing a new MyWay+ card if the applicant requires one. It should be noted that MyWay+ no longer requires a card to travel with and that Transport Canberra is communicating directly with existing card holders regarding the transition and how to get set up for MyWay+. Access Canberra Service Centres and Libraries ACT branch staff will continue to assist with Seniors Card enquiries when operational requirements allow them to. However, they are not the main or first point of contact for seniors cards. Support for Seniors Card holders and applicants primarily sits with COTA ACT.

Recommendation 26

The Committee recommends that the ACT Government continue to prioritise investments that make Canberra an age-friendly city, accommodating the needs of older Canberrans.

Government response

Agreed in principle.

The Government is currently developing the next Age Friendly City Plan (2025-2035). The Plan will guide future investment decisions to support the needs of older Canberrans.

Recommendation 27

The Committee recommends that the ACT Government consider advancing the development of dementia-friendly spaces in Canberra to support individuals living with dementia and their carers.

Government response

Existing Government policy

The Government, through the Suburban Land Agency, has released Curtin Section 99 Block 14 to the market to enable development of Canberra's first dedicated dementia care village to support those living with dementia and their families.

The Government will deliver dementia friendly film screenings, with the first screening scheduled for Saturday 21 September 2024, aligned with Dementia Action Week (16-22 September 2024).

The Government committed \$1.4 million in the 2023-24 Budget to establish a Centre of Excellence (CoE) for Older Canberrans. This investment supports the development of a model of care for the different levels of behavioural and psychological symptoms of dementia. This work is progressing through the Dementia Health Experts Network. This initiative also supported the SPICE program, a 12-week program to meet the needs of people with dementia and their carers to support physical activity, social engagement, nutrition assessment and carer education and capacity building.

The ACT Health Directorate is part of the National Dementia Action Plan (NDAP) jurisdictional working group. Actions under the NDAP support people living with dementia to:

- have their rights upheld, a sense of autonomy, meaning and identity;
- access the information and support services that meet their needs and preferences; and
- maintain a meaningful and mutually beneficial relationship with their carers.

The Government is currently developing the next Age Friendly City Plan (2025-2035). Consultation will consider the needs of individuals living with dementia and their carers.

Recommendation 28

The Committee recommends that the ACT Government support and enhance digital literacy programs for seniors to promote inclusivity and access.

Government response

Agreed in principle.

The Government is currently developing the next Age Friendly City Plan (2025-2035). Consultation on the Plan will guide future digital literacy support, the provision of non-digital options and digital access to support the needs of older Canberrans.

Recommendation 29

The Committee recommends that the ACT Government work with Carers ACT to develop and implement future Carers Strategy action plans, reflecting updated needs and priorities and ensuring Government demonstrates their commitment to supporting Carers.

Government response

Existing Government policy.

The Government continues to work in partnership with Carers ACT to implement the Carers Strategy and proposed actions to support carers.

Recommendation 30

The Committee recommends that the ACT Government consider ways to report on the Housing ACT pipeline, including: in construction, in development, and bought off the market and constructed, broken down by property type and number of bedrooms.

Government response

Noted.

The Government publishes the latest public housing stock numbers every six months, as part of the Growing and Renewing Public Housing program. This includes total stock numbers, dwellings delivered via construction, dwellings purchased, and the progress made toward meeting the targets of the Program.

Recommendation 31

The Committee recommends that the ACT Government review the 70:30 split of planned to responsive maintenance work to ensure this meets requirements of tenanted properties.

Government response

Noted.

The Total Facilities Management Agreement currently has the 70:30 split as a contractual requirement; however, this asset recommendation can be considered as part of the Insourcing Taskforce work.

Recommendation 32

The Committee recommends that the ACT Government review funding for women's organisations, such as Fearless Women, to assess their potential positive impact for service delivery, and to ensure comprehensive support for girls and young women.

Government response

Existing Government policy.

The Government reviews new and existing funding for women's organisations throughout the Budget cycle, which includes the Budget and mid-year Budget Reviews. This also includes reviewing submissions provided to Government as part of the Community Budget Consultation process, which organisations such as Fearless Women participated in.

In addition, measures to support women and girls in the ACT have also been identified through the development of the *ACT Women's Plan 2016-2026*⁷, and its *Third Action Plan 2023-26*⁸, and are reported on in annual reviews published in March each year.

Recommendation 33

The Committee recommends that the ACT Government work with Majura Valley lease holders to resolve issues and provide certainty as soon as possible.

Government response

Existing Government policy.

The Government wrote to the Majura 'Split block' occupiers on 16 August 2024 to inform them that the Government has agreed to commence formal negotiation with the Commonwealth Government for degazettal of the split blocks. The letter detailed the Government's intent to offer 25-year leases with no withdrawal clause in order to provide certainty of tenure.

The offer will include conditions that would limit the transfer of the leases to a third party and require reasonable access for the Territory or its agent to undertake due diligence studies over the 25-year period and agreement with the Commonwealth on approaches to contamination issues and compensation for improvements to the land.

⁷*ACT Women's Plan 2016-2026:*

https://www.act.gov.au/__data/assets/pdf_file/0004/2380927/ACT-Womens-Plan-2012-2026.pdf

⁸*Third Action Plan 2023-26:*

https://www.act.gov.au/__data/assets/pdf_file/0005/2391080/Advancing-gender-equality-third-action-plan-2023-26.pdf

Recommendation 34

The Committee recommends that the ACT Government undertakes a survey of all businesses, traders, landowners and tenants in the Phillip business district to obtain their views on the future use of the precinct.

Government response

Existing Government policy.

Consistent with the initiatives of the Woden District Strategy and the Government Response to the Standing Committee on Planning, Transport and City Services Report No. 16: *Inquiry into the Territory Plan and other associated documents*, the Government agrees to consult with traders and owners in the Phillip Service Trades Area regarding zoning changes. The Woden District Strategy identifies the Phillip Service Trades Area as a critical component of a diverse economy, providing a wide range of light industrial, service and related activities to serve the surrounding district.

Recommendation 35

The Committee recommends that the ACT Government seek to increase the number of residential dwellings to be released as part of the Indicative Land Release Program each year.

Government response

Existing Government policy.

One of the considerations of the Indicative Land Release Program (ILRP) is the demand drivers for housing and our objective of increasing housing supply. The Government monitors these (including population growth) when considering the ILRP, ensuring there is an adequate future supply in the market (which includes private sector development). Irrespective of economic cycles, the Government delivers to the ILRP, that is not always the case for the private sector.

Recommendation 36

The Committee recommends that the ACT Government give strong consideration to include the roofing industry as one which is in need of licensing or regulatory reform.

Government response

Agreed in principle.

The Government will consider the need for regulation of the roofing industry as part of planned work on trade licensing and regulation funded in the 2024-25 Budget.

Recommendation 37

The Committee recommends that the ACT Government ensure that third party providers for electric vehicle chargers consult more effectively with private businesses regarding installation at those facilities.

Government response

Noted.

The Government will encourage consultation between third parties where appropriate.

The Government will also consider the existing requirement for licence applicants for EV charging on public land to provide evidence of consultation to ensure it is providing adequate and effective communication with local stakeholders.

Recommendation 38

The Committee recommends that the ACT Government provide adequate resourcing to enable the ACT Chief Coroner to perform dedicated coronial duties full-time.

Government response

Noted.

In the 2021-22 Budget, the Government committed \$3.8 million in funding to establish a dedicated Coroner and support staff, including a Family Liaison Officer to support families and friends of loved ones who have passed.

The ACT's first dedicated Coroner, Mr Ken Archer, was appointed on 15 March 2022. This appointment delivered on a commitment in the Parliamentary and Governing Agreement of the 10th Legislative Assembly. In the 2023-24 Budget, the Government provided further funding to support restorative and therapeutic practices in the Coroners Court.

The Government will continue to monitor the resourcing to the ACT Coroners Court.

Recommendation 39

The Committee recommends that the ACT Government consider what essential services can be upgraded, such as video technology over phones, to bring the prison in line with a digital future.

Government response

Existing Government policy.

ACT Corrective Services has already commenced work in reviewing essential services, with the Electronic Security System currently under review and work is underway on the detainee telephone system. Future reviews and the implementation of any proposed solutions will be subject to funding.

Recommendation 40

The Committee recommends that, should the ACT Government adopt a Centralised Monitoring System (CMS) for ACT poker machines, they consider integrating it with the NSW CMS, as part of a cooperative approach to enacting harm minimisation across both jurisdictions.

Government response

Existing Government policy.

The Government's ongoing consideration of how gambling harm reduction could potentially be facilitated through use of a centralised monitoring system (CMS), which would be one possible method to implement measures such as gambling pre-commitment, has already investigated the potential for integration between a new ACT solution and the CMS used in NSW. Such integration would require consideration of both technical and legal/administrative issues.

Should the Government decide to proceed with the introduction of a CMS, further detailed consideration of the issue is expected. The Government supports cooperation with NSW where appropriate in a range of policy areas, including pursuit of gambling harm reduction. While this is an important aim, the Government will continue to pursue policies that are in the best interests of the ACT community, including where that might lead to differences in regulation applicable in NSW.

Recommendation 41

The Committee recommends that the ACT Government continue to work with the Commonwealth and State Governments to enhance harm-reduction efforts in online gambling platforms, including virtual casinos, sports betting apps, and video games which utilise microtransactions in a manner resembling gambling activities.

Government response

Existing Government policy.

The Government has and continues to work with other Australian Governments to enhance harm reduction in online gambling. This has included cross-jurisdiction collaboration during implementation of the National Consumer Protection Framework for Online Gambling, supporting changes to classification guidelines for computer games that include gambling and gambling-like elements, and through advocacy for tighter restrictions on gambling advertising.

Recommendation 42

The Committee recommends that the ACT Government further invest in bringing forward the infrastructure pipeline to ensure fit for purpose facilities to better support front line police services.

Government response

Existing Government policy.

The Government's Infrastructure Plan and Indicative Project Pipeline⁹ brings forward the critical requirements of ACT Policing through the planning and investment cycle to ensure fit for purpose facilities to better support front line police services.

As the first stage of this process, feasibility and due diligence work for a new City Police Station and ACT Policing Headquarters is in progress.

Recommendation 43

The Committee recommends that the ACT Government examine whether there is a more appropriate service, other than ACT Police to provide welfare checks.

Government response

Noted.

The Government will continue to work with ACT Policing to examine the most appropriate model for responding to calls for a welfare check at a residence, including the involvement of mental health partner agencies.

Recommendation 44

The Committee recommends that the ACT Government consider funding at least one Full Time Equivalent school psychologist for every public school as part of its allied health workforce review.

Government response

Noted.

⁹ ACT Infrastructure Plan Indicative Project Pipeline
<https://www.builtforcbr.act.gov.au/infrastructure-plan>

The Education Directorate currently has 91 schools and 81 psychologists. The Government acknowledges the increasing demand for allied health professionals for students in schools. The current allied health review underway provides an opportunity to explore the need and the possible pathways for meeting the need through a comprehensive model of care using professionals from all allied health disciplines – speech and language pathology, occupational therapy, physiotherapy, psychology, and social work. Work force shortages across disciplines is an issue nationwide and will need to be factored into decision making.

Recommendation 45

The Committee recommends that the ACT Government make publicly available the Prevention and Management of Occupational Violence in ACT Public Schools review.

Government response

Agreed.

The Government provided documents from phase 1 of the Prevention and Management of Occupational Violence in ACT Public Schools review to the Select Committee on Estimates 2024-25 on 7 August 2024. Phase 2 of the review is ongoing and will also be made public once complete.

Recommendation 46

The Committee recommends that the ACT Government should formalise a follow-up protocol for staff reporting sexual assaults and/or harassment in ACT schools, including timeframes for responses and actions taken.

Government response

Existing Government policy.

The Government has existing Work, Health and Safety procedures that are compliant with relevant legislation and guide the case management of reported incidents of sexual assault and harassment. The Government agrees that these follow-up protocols should include timeframes and actions taken. As allegations of sexual assault and/or harassment can be complex to investigate, the Education Directorate will take the time to work through and consider how to develop a clear set of protocols around timeframes.

Currently, when a sexual assault is reported or is alleged to have occurred in an ACT public school, the Education Directorate also deploys relevant protocols to manage risk and minimise exposure to psychosocial hazards as far as is reasonably practicable. Staff are supported with contact from a Wellbeing Officer from the Work Health and Safety Early Intervention and Wellbeing Team to ensure they are connected with relevant services including the Employee Assistance Program. Schools and staff are further supported by the People and Performance team with advice regarding human resource matters, including employee entitlements, injury management and other supports. People and Performance also initiate a Preliminary Assessment or refer the incident to the Professional Standards Unit for investigation if appropriate.

If sexual harassment is reported or alleged to have occurred in an ACT public school, similar protocols are deployed to support the management of risk and wellbeing of affected staff. A sexual harassment matter does not necessitate mandatory reporting to WorkSafe ACT; however, the Education Directorate will still deploy relevant support for affected staff. This includes contact from a Wellbeing Officer and appropriate supports from the People and Performance branch to address human resource matters or progress a Preliminary Assessment. The Education Directorate is committed to providing appropriate support to staff that have reported or been affected by sexual assault or harassment in the workplace.

Recommendation 47

The Committee recommends that the ACT Government make publicly available, once finalised, the implementation plan for the recommendations from the Literacy and Numeracy Education Expert Panel's Final Report.

Government response

Agreed.

The Government agrees to release a public implementation plan for the recommendations from the Literacy and Numeracy Education Expert Panel's Final Report via the Education Directorate website.

Recommendation 48

The Committee recommends that the ACT Government provide full funding over the forward estimates for the implementation of all recommendations from the Literacy and Numeracy Education Expert Panel's Final Report.

Government response

Agreed.

The Government agrees that appropriate funding will be made available to enable the implementation of all recommendations from the Literacy and Numeracy Education Expert Panel's Final Report.

Recommendation 49

The Committee recommends that the ACT Government put in place a system within the Education Directorate which has information on all classrooms or learning spaces that are currently not in use due to maintenance or occupational health issues.

Government response

Existing Government policy.

The Education Directorate works closely with schools to ensure suitable learning spaces and facilities are available, including monitoring where spaces are not in use due to maintenance or Work Health and Safety related issues.

The Government committed to centralised school building services through the Infrastructure Services Enterprise Agreement 2023-2026 and funded this commitment through the 2023-24 Budget as part of a \$39.6 million dollar package to improve pay and working conditions for educators and school-based staff. The Building Services Taskforce was established in November 2023 to implement the centralisation of school building services. This work will contribute to enhancing risk management practices and quality assurance processes across the public school system.

Recommendation 50

The Committee recommends that the ACT Government proactively connect with key stakeholders for Veterans and Seniors on government policy likely to impact them.

Government response

Existing Government policy.

The Government will continue to proactively connect with key stakeholders for Veterans and Seniors on government policies likely to impact them.

This includes through the Ministerial Advisory Councils on Ageing and Veterans and their Families, noting the important role of members of Advisory Councils in linking with veterans and older people, their families and organisations to share and gather information. The Government also connects through broader consultations on government policy, such as the recent the consultation on the new Age-Friendly City Plan held over April and June in 2024.

Recommendation 51

The Committee recommends that the ACT Government approve and implement a new volunteering strategy to strengthen and sustain the volunteering sector across the ACT.

Government response

Existing Government policy.

The Government has developed an ACT Volunteering Strategy in partnership with Volunteering ACT. The Strategy is expected to be tabled in the Legislative Assembly on 29 August 2024.

Recommendation 52

The Committee recommends that the ACT Government ensure all ACT Government schools have adequate heating and cooling systems.

Government response

Agreed in principle.

The Government, through the Education Directorate, is currently developing an Indoor Air Quality Strategy to guide long term heating and cooling in ACT public schools. Indoor Air Quality Plans are in place for all ACT public schools.

Requirements for Heating, Ventilation and Air Conditioning (HVAC) system infrastructure in new schools are captured in the Education Directorate's Infrastructure Specification guidelines. Review of HVAC systems continues to occur in ACT public schools every three years.

Heating and cooling needs in ACT public schools are considered and will continue to be identified through the Education Directorate's ongoing focus on asset management. Works occur each year to address heating, ventilation and air conditioning maintenance, repairs and upgrades. Existing programs such as the annual Asset Renewal Program are one avenue for heating and cooling upgrades, while roof replacement projects also improve thermal comfort. Current Government initiatives such as the Electrification of Government Gas Assets and the Energy Efficiency Upgrade program also contribute to ensuring all ACT public schools have adequate heating and cooling systems. Further upgrades to deliver improvements to heating and increase cooling will be subject to future Government investment decisions and the individual needs of each school.

Recommendation 53

The Committee recommends that the ACT Government deliver appropriate hydrotherapy pool services as soon as practicable.

Government response

Existing Government policy.

The Government is constructing a new hydrotherapy pool at the Tuggeranong Lakeside Leisure Centre to improve access to hydrotherapy services for residents on Canberra's southside.

Monarch Building Solutions was engaged as the head contractor in February 2024. Demolition and construction commenced in August 2024. The facility is planned to open by mid 2025.

Recommendation 54

The Committee recommends that the ACT Government should increase the baseline funding for staffing at Libraries ACT to sustainably deliver the high volume of popular programs and keep all branches open consistently while supporting staff wellbeing.

Government response

Noted.

The Government will continue to review resourcing requirements of Libraries ACT through the annual budget process.

Recommendation 55

The Committee recommends that the ACT Government prioritise building the RSPCA facility as soon as possible to ensure a fit for purpose, modern facility.

Government response

Existing Government policy.

The Government is continuing to progress design work on the new facility at the site in Pialligo in collaboration with the RSPCA.

Recommendation 56

The Committee recommends that the ACT Government make the rapid response mowing team a permanent part of the ACT mowing program.

Government response

Existing Government policy.

In June 2024, the Government announced \$5.824 million funding for city maintenance. This included funding for ten full-time positions and eight additional mowers. This funding is progressing the incorporation of the rapid response mowing team into a new baseline mowing capacity. In the low season, mowing crews will assist with horticultural work across the city, including weeding, road edging and maintenance. Future operational requirements will be considered through budget considerations.

Recommendation 57

The Committee recommends that the ACT Government increase street sweeping to reduce organic material going into the lakes and waterways.

Government response

Existing Government policy.

In mid-2024, the Government acquired a new street sweeper, named Eliza, to assist with removing leaves, rubbish and debris from kerbs and gutters along the road network. During the peak mowing season, the sweeper will assist with removing grass from gutters caused by mowing activities. The new street sweeper will be based in the south of Canberra to help deliver this important service. The Government has implemented other efficiencies in recent years to increase the volume of street sweeping, including split shifts which has provided greater flexibility for staff and increased the volume of work completed with the same level of equipment. The Government is continually working to optimise street sweeper efficiencies by establishing more stockpiling sites and detailed route planning to service areas of greatest organic material.

Recommendation 58

The Committee recommends that the ACT Government expedite the build of a new Materials Recycling Facility in Hume as soon as possible.

Government response

Existing Government policy.

The 2024-25 Budget included \$26 million of funding for a New Recycling Facility, jointly funded by the ACT and Commonwealth Governments. A contract is expected to be awarded soon which will then allow construction to commence.

Recommendation 59

The Committee recommends that the ACT Government finalise any outstanding pothole-related claims immediately.

Government response

Noted.

The Government endeavours to process claims in a timely manner. The Transport Canberra and City Services Directorate (TCCS) works closely with the ACT Insurance Authority to manage and resolve any legal claims. In 2022 and 2023 TCCS received an unusually high number of claims associated with pothole damage. The vast majority of these claims have now been processed. The remaining few claims that are outstanding are subject to ongoing engagement, some of which have escalated. While the number of claims submitted each month has reduced since last year, claims continue to be submitted. The assessment of claims is carried out in accordance with current legislation on a case-by-case basis.

Recommendation 60

The Committee recommends that the Transport Canberra and City Services Annual Report provide greater detail on bus types and expected deliveries.

Government response

Agreed.

Transport Canberra will provide detailed information on the procurement of the battery electric buses and delivery timeframe within future Annual Reports.

Recommendation 61

The Committee recommends that when multiple directorates are publishing targets in budgets and other official government documents, those targets should align.

Government response

Existing Government policy.

The Government provides guidance to agencies on setting performance indicators through the Performance and Accountability Framework, including the expectation that agencies will identify areas of shared interest and use appropriate mechanisms to coordinate.

Recommendation 62

The Committee recommends that the ACT Government confirm when it will be able to provide the final route for Stage 2B of the Light Rail.

Government response

Noted.

The Government has a preferred route for Light Rail Stage 2B that runs along Commonwealth Avenue, through State Circle East and down Adelaide Avenue to Woden. Through the investigations for the Environmental Impact Statement (EIS) an alternate route through Parkes – Barton is being explored as a back-up plan to the preferred route. The EIS will be completed by the end of 2024 and will include confirmation of the final route. The EIS will be released for public review and comment in early 2025.

Recommendation 63

The Committee recommends that the ACT Government, when practicable, provide an indicative timeline for the completion of Stage 3 of the Light Rail to Belconnen and Stage 4 to Tuggeranong.

Government response

Noted.

The Government has a long-term vision to implement a light rail network across Canberra and has provided an indicative outline of the delivery timeframe for future stages, being one per decade. A more exact timeframe for progressing future light rail stages is subject to decision making by future governments.

Recommendation 64

The Committee recommends that the ACT Government consider a conciliation pathway for human rights complaints against public authorities to the ACT Civil and Administrative Tribunal.

Government response

Existing Government policy.

In its response to the *No Rights Without Remedy Report* (Standing Committee on Justice and Community Safety Report No 7, 2022), the Government agreed in principle to introducing a pathway to the ACT Civil and Administrative Tribunal (ACAT) for complaints about breaches of human rights by public authorities.

There are a number of complexities to be resolved, including how this pathway will interact with the existing jurisdictions of ACAT and the Supreme Court, the resourcing implications for the ACAT, and the scope of remedies that would be available to litigants.

It is optimal for the Human Rights Commission's human rights complaints jurisdiction to be operational for a period of time before a pathway to ACAT is established, so that further policy work to address these complexities can be informed by the Commission's early experiences of the new complaints mechanism.

Recommendation 65

The Committee recommends that the ACT Government consider providing the ACT Ombudsman with multi-year grant funding.

Government response

Noted.

Ongoing appropriation and provisioned funding for the ACT Ombudsman is already accounted for in the ACT Budget estimates to meet anticipated demand driven increases in the ACT Ombudsman services. Pursuant to the Assembly Budget Protocols item 7¹⁰, the ACT Ombudsman is required to write to the Speaker prior to each financial year, outlining the ACT Ombudsman's funding request for the upcoming financial year based on forecast activity levels. This practice is consistent with the current Services Agreement between the Australian Capital Territory and the Commonwealth of Australia which sets out the financial and other arrangements between the Territory and the Ombudsman.

Recommendation 66

The Committee recommends that the ACT Government undertake a review of whether the Environment Protection Authority and the Conservator of Flora and Fauna should be independent statutory office holders.

Government response

Noted.

The Government has previously provided a response outlining its approach to the position of Conservator of Flora and Fauna, with its position described in its response to the *ACT State of the Environment 2023 Report*.

The Government has pursued and delivered a number of reforms to the role and functioning of the Environment Protection Authority this term. Consideration of further structural reform will be informed by the review of the *Nature Conservation Act 2014*, and the implementation of government policy to enact the Right to a Healthy Environment, both of which are in progress.

¹⁰ https://www.parliament.act.gov.au/_data/assets/pdf_file/0007/1254319/Budget-Protocols-Agreement-2020.pdf

Recommendation 67

The Committee recommends that the ACT Government and Commissioner for Sustainability and the Environment develop a policy which articulates agreed timelines in relation to data requests and responses, to inform reporting obligations for the Commissioner.

Government response

Noted.

The Government supports the statutory responsibilities of the Commissioner for Sustainability and the Environment through the provision of information and data pursuant to the *Commissioner for Sustainability and the Environment Act 1993*.

The Government has already initiated discussions with the Commissioner for Sustainability and Environment to ensure timely provision of data and responses to support the functioning of the Commissioner. The Government has also committed to considering recommendation 5i in the State of the Environment Report pertaining to the functioning and powers of the Commissioner.

Recommendation 68

The Committee recommends that the ACT Government review the process for complaint reports issued by the Commissioner for Sustainability and the Environment, including consideration on whether they should be made public and whether government responses are required.

Government response

Noted.

The complaints process outlined in the *Commissioner for Sustainability and the Environment Act 1993* provides a clear process to allow the Commissioner to undertake investigations in private, and clear provisions for a public interest test, that could lead to a public process including public hearings. The Government has also committed to considering recommendation 5i in the State of the Environment Report pertaining to the functioning and powers of the Commissioner.

Recommendation 69

The Committee recommends that the ACT Government provide additional funding to the ACT Office of the Director of Public Prosecutions to hire additional prosecutors.

Government response

Noted.

The Government will continue to work with the Director of Public Prosecutions on the resourcing needs of that office. Any consideration of additional resourcing is a matter for a future budget process.

Recommendation 70

The Committee recommends that the ACT Government reviews its policy on physical distancing during visitations within youth justice settings in light of the current levels of health risk, and ensure this review meaningfully considers the wellbeing of young people in the youth justice system.

Government response

Agreed.

The Government acknowledges the importance of allowing physical contact during visits to support young people in maintaining bonds with their support networks.

The Government is reviewing policies in relation to physical contact during visits at Bimberi Youth Justice Centre. It is noted young people already have contact with their visitors on a case-by-case basis. Changes to increase young people's contact with their families is underway.

Recommendation 71

The Committee recommends that the ACT Government develop a protocol for public servants who are subject to integrity commission inquiries so as to ensure the protection of the public good, not prejudice any proceedings and fair and due process.

Government response

Noted.

The ACT Public Service (ACTPS) employment framework has processes in place to manage employment matters, including alleged misconduct. These are embedded in legislation and industrial instruments; which include the *Public Sector Management Act 1994*, the *Public Sector Management Standards 2016* and the ACTPS enterprise agreements. Where a matter has been referred to the Integrity Commission, the ACTPS must follow the employment framework which requires that decisions relating to employment arrangements must be based on reliable evidence and the principles of natural justice and procedural fairness must be adhered to.

The policy and legal implications of this recommendation are being considered by the Head of Service, the Public Sector Commissioner and the Integrity Commissioner.

Recommendation 72

The Committee recommends that the ACT Government develop a policy to guide the provision of funding for legal services for ACT Public Service employees who are subject to integrity commission matters.

Government response

Existing Government policy.

As was noted by the Solicitor-General in his evidence, there are a range of matters that are presently taken into account in deciding whether to agree to the provision of legal assistance to a Public Sector employee or official. In addition, the Attorney-General noted in statements made in the Legislative Assembly, that the *Law Officers Legal Services Directions 2023* are being reviewed to consider the adequacy of their treatment of assistance in relation to Integrity Commission matters.

Recommendation 73

The Committee recommends that the ACT Government introduce changes to the Integrity Commission Act 2018 to require that proposed reports are only made available to persons who have adverse findings made against them in the draft Integrity Commission report.

Government response

Noted.

This issue was addressed in the Review of the Integrity Commission Act conducted by Mr Ian Govey AM. Mr Govey concluded that the current requirements in the IC Act are too broad and recommended that only those persons or entities that are named, or otherwise identifiable, should be provided a copy of a proposed report for comment.

The intention is that this be considered by the Eleventh Legislative Assembly.

Recommendation 74

The Committee recommends that the ACT Government introduce changes to the Integrity Commission Act 2018 to provide more flexibility to the Integrity Commissioner in relation to the time given to parties to comment on proposed reports.

Government response

Noted.

This issue was addressed in the *Review of the ACT's Integrity Commission Act 2018*¹¹ conducted by Mr Ian Govey AM. Mr Govey concluded that six weeks is too long, and recommended a minimum four-week timeframe. Mr Govey considered whether a reasonable timeframe should be determined by the Commission and concluded that a minimum legislated timeframe provides certainty to limit disagreement and potential litigation around what is considered 'reasonable'.

The intention is that this be considered by the Eleventh Legislative Assembly.

¹¹ Review of the ACT's Integrity Commission Act 2018:

<https://www.cmtedd.act.gov.au/office-of-industrial-relations-and-workforce-strategy/review-of-the-acts-integrity-commission-act-2018>

2024

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**Government response to the
Select Committee on Estimates 2024-25 Report – Inquiry into the *Appropriation Bill
2024-2025* and *Appropriation (Office of the Legislative Assembly) Bill 2024-2025***

Tabling Statement

**Presented by
Mr Andrew Barr MLA
Treasurer
27 August 2024**

Madam Speaker,

I present the Government's response to the recommendations raised by the Select Committee on Estimates 2024-25 Report – Inquiry into the *Appropriation Bill 2024-2025* and the *Appropriation (Office of the Legislative Assembly) Bill 2024-2025*.

I thank the Select Committee and Legislative Assembly representatives for their scrutiny of the proposed expenditures in the 2024-25 Budget and accompanying Appropriation Bills, and I further acknowledge the assistance provided by the secretariat in preparation of the final report.

I would like to acknowledge my Ministerial colleagues and government officials for their active engagement in promptly responding to the Committee's questions and recommendations.

The 2024-25 Budget commitments were guided by the Government's wellbeing priorities in an effort to address the significant global pressures that have shaped Canberran's experiences over this term of government. Within this context, funding in the 2024-25 Budget is targeted towards improving our public health services, addressing cost of living challenges and increasing affordable and accessible housing.

Madam Speaker, we know many Canberra household budgets are under stress. To support Canberrans through these challenges, this Budget introduced changes to concessions that will support almost 44,000 households. This complements broader relief from the Federal Government on electricity bills and through the changes made to deliver fairer Stage 3 tax cuts.

Our economy continues to perform well despite national and global challenges.

Higher than expected growth in public demand and business investment have been key drivers of growth in real State Final Demand and real Gross State Product over the past year, offsetting weaker household consumption and residential investment.

We have one of the lowest unemployment rates in Australia and our labour market participation rates continue to be well above the national rate.

This Budget continues our focus on the delivery of strategic infrastructure projects that promote job creation, emissions reductions, and modernise the delivery of essential services across our city – supporting a growing population, investing for future generations.

This Budget continues the effort to maintain and enhance existing infrastructure across all of Canberra.

Madam Speaker, the Select Committee's report contains 74 recommendations related to Budget or Appropriation Bill matters, and I will not be addressing each recommendation before you today. The Government's response fulfils this purpose.

In summary, the Government has:

- agreed to 7 recommendations;
- agreed in principle to 11 recommendations;

- acknowledged that 31 recommendations relate to an existing Government policy; and
- noted 25 recommendations.

Madam Speaker, I consider that none of the matters raised in the Select Committee's report should prevent passage of the *Appropriation Bill 2024-2025* or the *Appropriation (Office of the Legislative Assembly) Bill 2024-2025*.

On behalf of the Government, I present the Government's response to the Select Committee's report to the Assembly.