

**Government Response to the  
Select Committee on Estimates  
2013-14**

**Tabling Statement**

Andrew Barr MLA  
Treasurer

August 2013

Madam Speaker, I present the Government's Response to the *Report of the Select Committee on Estimates 2013-14*.

*Work of the Committee and Advisor*

I thank the Committee, and its support staff, for its Report on the *Appropriation Bill 2013-14* and the *Appropriation (Office of the Legislative Assembly) Bill 2013-2014*.

I would also like to acknowledge and thank the Centre for International Economics for its efforts and time put into providing an independent view of the 2013-14 Budget.

The Government respects the crucial role played by the Select Committee on Estimates in scrutinising its proposed expenditure.

However, the Government is also disappointed that the recommendations in the Committee's main report were unbalanced and unable to provide useful guidance to the Assembly.

*The 2013-14 Budget*

The 2013-14 Budget will build and transform Canberra, ensuring a prosperous and sustainable second century.

The reforms and funding contained in the Budget demonstrate the Government's commitment to expand and transform our economy, and create opportunity and fairness for all Canberrans.

This Budget will ensure the Territory remains a great place in which to live, work, study and do business, and will ensure we grow and prosper in the long term.

Although this Budget continues to restructure our expenditure and revenue bases to make them more sustainable, the Government has a clear goal of maintaining quality service delivery.

The Territory's economy is set on the path for growth, using our solid and sustainable fiscal position as a basis for the funding of large, transformative programs, such as DisabilityCare Australia, the National Education Reform Agreement (Gonski Reforms), the University of Canberra Public Hospital, Capital Metro and the City to the Lake project.

These projects will not only transform how key services are delivered, they will fundamentally alter how we move around our city, and they will generate thousands of jobs in the process.

More broadly, the Budget will expand service delivery in health, education, emergency and municipal services, public transport, corrections and for those in need, and delivers a number of election commitments and items in the Parliamentary Agreement.

In our centenary year, this Budget positions the Territory to meet the financial and social challenges of the future.

### Estimates Report

Madam Speaker, the Estimates Committee Report presents 151 recommendations.

In conjunction with the independent advisor's report, it canvasses a significant number of matters contained in the Budget.

I will not take the Assembly's time now by working through each of the Select Committee's recommendations. These are separately discussed in the response document, which I table here today.

The Government has generally accepted or noted the majority of the recommendations included in the Committee's report.

In our response, the Government has:

- agreed to 28 recommendations;
- agreed in principle to 9 recommendations;
- agreed in part to 2 recommendations;
- noted 78 recommendations; and
- not agreed to 34 recommendations.

The instances where recommendations were not agreed, the Government has taken the time to assess what is being asked.

In general terms, the Government has not agreed to several of the recommendations on the basis that:

- detailed analysis or reviews (including those undertaken by independent bodies) have already been undertaken on the issues raised, and in some instances, this information is already publicly available (or withheld given associated sensitivities, commercial or otherwise);
- the suggested change or service is already undertaken or sufficiently catered for;
- additional work or service provision in relation to some recommendations would result in unnecessary duplication of effort, or that existing policies address the issue raised;
- the recommendation does not align with current legislative practice;
- the recommendation makes statements or claims that are inaccurate (such as those in relation to elective surgery performance); or
- the recommendation requests a change that is beyond the remit of an individual's (for example, a Commissioner's) or the Legislative Assembly's jurisdiction or capacity.

The reasons for each departure from the recommendations are detailed in each individual response.

*The Centre for International Economics Report*

The Government acknowledges the findings of the Centre for International Economics Report. I would like to particularly highlight the following findings:

In relation to the Territory's Economic Forecasts, I note the Centre concludes that the forecasts appear to be reasonable, including that:

- gross state product, state final demand and employment growth forecasts are considered reasonable;
- inflation and wage price index forecasts are satisfactory; and
- the forecasts are justified by key risks to public sector employment and Commonwealth Government expenditure in particular.

The Centre highlighted the significance of taxation reform, which it considered would lead to a more sustainable revenue base in the long run.

Specifically, the Centre considers that the tax reform package is being undertaken at a moderate pace which enables the Government to progressively phase out certain taxes while maintaining strong growth in own-source taxation revenue.

However, the Centre's conclusion that the taxation reform package delivers an overall increase in taxation revenue is inconsistent with Government's statement that the taxation reforms deliver revenue neutrality overall.

The Centre's analysis appears to assume that all movement in each revenue line is solely due to taxation reform, whereas many other non-taxation-reform factors, such as wage price indexation, also contribute to revenue growth.

It also considered that the capital works program remains strong and is stimulatory to workforce participation and indicates that there is workforce supply to help meet demand.

Finally, it notes that each of the savings included in the 2013-14 Budget are relatively conservative when compared to the previous year's Budget.

These findings are a testament to our principle of responsible financial management practices.

### *Dissenting Report*

The Government notes that Dr Chris Bourke and Mr Mick Gentleman have provided a Dissenting Report containing 575 recommendations, in addition to the Estimate Committee's report, provided by the Chair of the Committee, which contains 151 recommendations.

The Government recognises that Committee Members have the right to provide an additional and/or dissenting report if they so choose.

In this particular instance, the Government notes that the need for the Dissenting Report has been driven by the partisan and uncooperative chairing of the committee, and observes Dr Bourke's and Mr Gentleman's concerns regarding the Chair's conduct of the committee and failure to observe parliamentary procedural arrangements. Matters of bullying raised by Dr Bourke and Mr Gentleman are disturbing.

Madam Speaker, the Government has not responded to each individual recommendation of the Dissenting Report.

We have, however, provided a broad response to it and thank Dr Bourke and Mr Gentleman for clearly recognising that this Budget provides the basics needed to deliver good government to the people of the ACT.

### Conclusion

In closing, Madam Speaker, the Report of the Estimates Committee and its recommendations do not raise any issues that would prevent the passing of the *Appropriation Bill 2013-14*.

On behalf of the Government, I thank the Committee for its consideration of the Appropriation Bills, and remind the Assembly

that the 2013-14 Budget is about building and transforming Canberra for a prosperous and sustainable second century.

I commend the Government Response to the Assembly.



**Government Response  
to the Report of the  
Select Committee on Estimates 2013-2014  
on the  
*Appropriation Bill 2013-2014 and the  
Appropriation (Office of the Legislative  
Assembly) Bill 2013-2014***

**Andrew Barr MLA  
Treasurer  
August 2013**

## INTRODUCTION

The 2013-14 Budget will build and transform Canberra, ensuring a prosperous and sustainable second century. The reforms and funding contained in the Budget demonstrate the Government's commitment to expand and transform our economy and create opportunity and fairness for all Canberrans. This Budget will ensure the Territory remains a great place in which to live, work, study and do business, and will ensure we grow and prosper in the long term.

Although this Budget continues to restructure our expenditure and revenue bases to make them more sustainable, the Government has a clear goal of maintaining quality service delivery. The Territory's economy is set on the path for growth, using our solid and sustainable fiscal position as a basis for the funding of large, transformative programs, such as DisabilityCare Australia, the National Education Reform Agreement (Gonski Reforms), the University of Canberra Public Hospital, Capital Metro and the City to the Lake project. These projects will not only transform how key services are delivered, they will fundamentally alter how we move around our city, and they will generate thousands of jobs in the process.

More broadly, the Budget will expand service delivery in health, education, emergency and municipal services, public transport, corrections and for those in need, and delivers a number of election commitments and items in the Parliamentary Agreement.

In our centenary year, this Budget positions the Territory to meet the financial and social challenges of the future.

The Select Committee on Estimates presented its Report on the inquiry into the *Appropriation Bill 2013-2014 and the Appropriation (Office of the Legislative Assembly) Bill 2013-14* on Tuesday, 6 August 2013.

The Government thanks the Committee for its Report. The Committee has provided a report with 151 recommendations on a wide range of issues across all Government portfolios.

In its response, the Government has:

- agreed to 28 recommendations;
- agreed in principle to 9 recommendations;
- agreed in part to 2 recommendations;
- noted 78 recommendations; and
- not agreed to 34 recommendations.

The Government respects and values the crucial role played by the Select Committee on Estimates in scrutinising the proposed expenditures in the Budget. The Government, conscious of its responsibility, has endeavoured to respond fully to the questions asked of it during the Estimates process.

The Government notes the Committee has again sought external advice on the Territory's Budget. The Centre for International Economics Review (the Review) of the Budget provides some pleasing observations.

The Review notes that overall, the economic forecasts contained in the Budget are reasonable, and the assumptions upon which the forecasts are based are in line with recent trends and other market forecasts.

In terms of key economic variables, the Gross State Product, State Final Demand and Employment Growth forecasts were noted to be reasonable, taking into account the contractionary effects of the 2013-14 Commonwealth Budget.

The Review responded positively to the progress of the implementation *ACT Taxation Reforms Package* initiatives, particularly those elements which reduce the share of inefficient taxes and progressively increase the share of efficient taxes as a proportion of own-source revenue, while being implemented at a moderate pace.

The Review noted that the savings plans contained in the 2013-14 Budget "are more conservative and less ambitious than they were in last year's Budget".

The Government's 2013-14 Budget assumes a return to long run macroeconomic assumptions in 2014-15. This is considered reasonable by the Centre for International Economics. However, the Budget is exposed to potential downward adjustments if long run forecasts are not achieved. It was noted that a return to surplus in 2015-16 is significantly dependent on year-on-year growth in revenue.

The Government welcomes the findings of the Review and considers that its broadly positive tone is reflective of the Government's efforts to implement prudent fiscal management strategies and deliver economically and socially responsible budgets.

The Government remains committed to open, transparent and accountable practices, and will endeavour to provide additional information to support policy decisions and processes where that information is available.

The Government has provided a response to each of the recommendations of the Committee.

## **RESPONSE TO RECOMMENDATIONS**

### **RECOMMENDATION 1**

**The Committee recommends that the Standing Committee on Administration and Procedures of the Eighth ACT Legislative Assembly conduct a review of the need for, and effectiveness of, specialist budget adviser services to the Select Committee on Estimates.**

#### Government Response

Noted.

This is a matter for the Standing Committee on Administration and Procedure.

### **RECOMMENDATION 2**

**The Committee recommends that the ACT Government freeze its implementation of the taxation reform until the modelling of the 20 year impact on residential and commercial general rates is known.**

#### Government Response

Not agreed.

The Government has released a five year plan of conveyance and insurance duty rates until 2016-17. It is fiscally responsible for the Government to maintain flexibility in its taxation reform program beyond this timeframe to allow it to respond appropriately to external circumstances and pressures.

### **RECOMMENDATION 3**

**The Committee recommends that the Budget not be passed because of its lack of delivery, high levels of deficit and deceitful plan to massively increase commercial and residential rates.**

#### Government Response

Not agreed.

The Government is committed to ensuring general rates remain affordable for Canberrans. Residential general rates increased by 10 per cent in 2013-14, which includes standard Wage Price Index (WPI) indexation and the offset for the abolition of conveyance and insurance duties. This rate of increase will reduce once insurance duty has been abolished in 2016-17. The increase in commercial general rates can be attributed to the accelerated runoff of conveyance duty in 2013-14.

#### **RECOMMENDATION 4**

**The Committee recommends that the ACT Government address the underlying deficit as a matter of priority.**

##### Government Response

Noted.

Our strategy is to bring the budget back in balance over a sensible time frame. This is consistent with the Budget Plan target of returning to balance in 2015-16. A surplus is also maintained in 2016-17. Any earlier target would result in large scale redundancies like other State jurisdictions. This is not the ACT Government's approach.

#### **RECOMMENDATION 5**

**The Committee recommends that the Lease Variation Charge be fixed at the rate applied for the 2012-2013 financial year.**

##### Government Response

Not Agreed.

From 1 July 2013, the remission that applies to the codified schedule of charges to determine the Lease Variation Charge decreased from 65 per cent to 55 per cent in accordance with the Disallowable Instrument DI2011-197. All other elements of the Lease Variation Charge are the same as applied in the 2012-13 financial year.

#### **RECOMMENDATION 6**

**The Committee recommends that the ACT Government request the incoming Commonwealth Government to review indexation arrangements for former Commonwealth Public Servants.**

##### Government Response

Noted.

The design of CSS and PSS scheme benefits (including the basis for indexation) rests with the Commonwealth Government, and is outside the direct control of the ACT Government. The Treasurer has written to the Federal Minister for Finance seeking advice on the Commonwealth Government's current policy position in relation to the indexation arrangements for former Commonwealth Public Servants.

## **RECOMMENDATION 7**

**The Committee recommends that the Appropriation Bill debate not be brought on until such time as the Treasurer has presented an amended bill and relevant budget documents detailing the effect of the ICRC determination on the ACTEW Water dividend and balance sheet.**

### Government Response

Not agreed.

The Budget effect of the revised water and sewerage pricing, in terms of the Territory's revenue from ACTEW is yet to be determined. The ACT Government is awaiting advice from ACTEW on impairment or uplift of assets that may arise from the pricing determinations. The process for determining the potential impairment of assets is complex and is not expected to be finalised for some weeks.

It is not appropriate for the Appropriation Bill debate to be delayed to await this advice. The Appropriation Bill 2013-14 is a mechanism for appropriation of monies for the 2013-14 financial year. It allows Government agencies to spend monies. It does not dictate where these monies come from. Any variation to ACTEW's estimated payments of dividends and taxes in 2013-14, as a result of the recent pricing determinations, are likely to be less than 1 per cent of these total revenues.

In addition, the Budget Papers provide a point in time estimate of the future revenues, expenditure and other financial information relevant to individual agencies, the Public Trading Enterprise Sector, the General Government Sector and the Whole of Territory. Every year economic, commercial and fiscal events occur following the publication of the Budget which result in variances from the budgeted estimates. The Government will provide updated forecasts for ACTEW, reflecting the final financial impact of the ICRC pricing determination in the 2013-14 Budget Review.

## **RECOMMENDATION 8**

**The Committee recommends that the ACT Auditor-General conduct a comprehensive performance audit on ACTEW.**

### Government Response

Noted.

This is a matter for the Auditor-General.

## **RECOMMENDATION 9**

**The Committee recommends that the Chief Minister provide a reconciliation of what the Commonwealth would have provided for education funding had the Gonski arrangements not be put in place.**

### Government Response

Noted.

The Government draws the Committee's attention to the response provided by the Treasurer to E13-141. The response provides a breakdown of the comparison between national education reform funding paid to the ACT, and what would have been provided absent the reform.

## **RECOMMENDATION 10**

**The Committee recommends that the ACT Government provide the Assembly with the full detail of the process that led to the gifting of the *Skywhale* hot air balloon to a Victorian hot air balloon operator.**

### Government Response

Noted.

The Chief Minister provided information to the Estimates Committee on the procurement process relating to the *Skywhale* balloon sculpture. That response indicated all necessary procurement requirements had been met.

## **RECOMMENDATION 11**

**The Committee recommends that the Executive director, Culture and Communications either substantiate his allegations that there were safety concerns with Picture This Ballooning that led to their not being considered for the gifting of the *Skywhale* or apologise unreservedly.**

### Government Response

Noted.

The Committee chair was provided with the relevant information in a letter from the Chief Minister.

## **RECOMMENDATION 12**

**The Committee recommends that the Assembly move immediately to pass legislation that would provide for a sixth minister.**

### Government Response

Noted.

A recommendation that the Assembly move to pass legislation is a matter for the Assembly.

### **RECOMMENDATION 13**

**The Committee recommends that, after legislation providing for a sixth minister is passed, the Chief Minister immediately appoint a sixth minister.**

#### Government Response

Not agreed.

Recommending that the Chief Minister appoint a sixth minister is not a role for the Committee.

### **RECOMMENDATION 14**

**The Committee recommends that all standing committees in the Assembly be comprised of three Members, with a non-government majority.**

#### Government Response

Not agreed.

The Government does not agree with the recommendation that all standing committees be comprised of three members, with a non-government majority.

### **RECOMMENDATION 15**

**The Committee recommends that the Government better manage their procurement processes to minimise the number of tenders withdrawn or cancelled causing loss to tenderers.**

#### Government Response

Not agreed.

The procurement process is working well. The Government is conscious of the implications to tenderers of cancelling tenders, and minimises the number of these where it can.

### **RECOMMENDATION 16**

**The Committee recommends that the ACT Government further extend the provision of online tendering.**

#### Government Response

Agreed.

The Government has explored options for online tendering and expects to identify and begin implementing a suitable solution in 2013-14. The Government's commitment to increase the proportion of tenders available to potential tenderers in electronic format is demonstrated by the increase in the relevant Accountability Indicator in the 2013-14 Budget.

## **RECOMMENDATION 17**

**The Committee recommends that the ACT Government include women with disabilities as a target group for marketing this initiative.**

### Government Response

Noted.

The current initiative for the micro-credit program and advice and support service is for eligible people from a range of target groups including migrants, Aboriginal and Torres Strait Islander people, young people and women. The program will provide interest and fee-free loans to eligible low income earners who wish to establish or expand a small business activity. The target group includes all women, including those with a disability.

## **RECOMMENDATION 18**

**The Committee recommends that the ACT Government report to the Assembly quarterly on the progress of the 'data cleansing' of information held in the Chris21 system until the process is completed.**

### Government Response

Not agreed.

Data cleansing is an ongoing process with all Human Resource Information Management Systems, including Chris21. Data cleansing has been undertaken on Chris21 data since the application was installed and will continue to do so into the future as a standard maintenance and improvement process.

## **RECOMMENDATION 19**

**The Committee recommends that the Government make public as soon as practicable the report into the future of the Home Loan Portfolio.**

### Government Response

Noted.

The report was provided to the Committee in response to QTON 155 "Home Loan Portfolio – release of KPMG report" (*Ref Appendix E Status of all questions on notice and questions taken on notice, page 55*).

## **RECOMMENDATION 20**

**The Committee recommends that when the line 'other expenses' is the largest in the financial statements that where possible the amount be broken down further or more detailed information be included in the notes.**

### Government Response

Noted.

Chief Minister and Treasury Directorate (CMTD) will provide guidance to agencies on circumstances where additional notes should be used to clarify the content of the other expenses line item.

## **RECOMMENDATION 21**

**The Committee recommends that the ACT Government make public as soon as practicable the report into the future ownership of ACTTAB.**

### Government Response

Agreed.

The Government has already committed to make public the ACTTAB Future Options Feasibility Study.

## **RECOMMENDATION 22**

**The Committee recommends that ACTEW Water detail through the Minister responsible to the Assembly the proposed costs of the following Cotter Dam elements—concrete; steel; excavation—at the following price points—\$145,000,000; \$250,000,000; \$363,000,000; \$405,000,000—by the last sitting day in August this year.**

### Government Response

Not agreed.

Since the budget was first approved by the ACTEW Board on 1 September 2009, ACTEW has released an unprecedented amount of detail relating to the Enlarged Cotter Dam. The dam has also been subject to several extensive independent reviews to verify the costs including an investigation that was conducted by the Independent Competition and Regulatory Commission.

## **RECOMMENDATION 23**

**The Committee recommends that the ACT Government develop specific strategies for the Tourism industry for:**

- **accommodation;**
- **events; and**
- **new attractions.**

### Government Response

Noted.

The ACT Government is currently working on specific strategies for the Tourism and Events industry.

The Economic Development Directorate (EDD) Strategic Plan 2013-2016 highlights a commitment to boost tourism activity and grow visitor numbers through implementation of the recommendations from the Tourism 2020 Strategy. The Tourism 2020 Strategy, will provide a new strategic plan for Tourism. It will make recommendations on programs and investment required to achieve a target of doubling overnight expenditure in the ACT by 2020. This will include an assessment of the accommodation sector, product gaps and demand potential.

The EDD Strategic Plan 2013-2016 also highlights a commitment to deliver on the Centenary legacy by developing and implementing an ACT Events Attraction Strategy

with longer term marketing and attraction plan including an economic value assessment and financial support framework.

#### **RECOMMENDATION 24**

**The Committee recommends that the Economic Development Directorate develop an improved maintenance schedule to avoid closure of sports ground facilities due to neglect and decline as was the case with the Narrabundah Velodrome.**

##### Government Response

Not agreed.

Sport and Recreation Services (SRS) has an extensive and inclusive program of repairs and maintenance works that ensures that all ACT Government sportsgrounds are maintained to a standard that is both safe and fit for purpose, and therefore available for formal hire and for use by schools and the broader community.

In addition SRS has, since 1994-95, run an annual capital upgrades program, the Facilities Improvement Program, that focuses on upgrading and extending the life of aging assets as well as providing for enhancements and additions.

The issues to do with the Narrabundah Velodrome are fundamentally structural and are as a result of design faults when the facility was originally constructed. They are not as a result of any deficiencies in existing processes around repairs and maintenance.

No ACT Government Sportsground has been specifically closed due to any neglect or decline relating to a lack of suitable maintenance – with the exception of a forced lack of maintenance as a result of ACTEW water restrictions between 2002 and 2010.

#### **RECOMMENDATION 25**

**The Committee recommends that the ACT Government review the proposed on and off arrangements from the Majura Parkway with a view to constructing an interchange at the northern end on Majura Park to allow for greater access to Majura Park and the airport.**

##### Government Response

Noted.

The Government has provided funding in the 2013-14 Budget for assessment and design of infrastructure requirements to facilitate a potential commercial development in the vicinity of the Majura parkway adjacent to the Canberra Airport commercial precinct.

#### **RECOMMENDATION 26**

**The Committee recommends that the ACT Government work with the Commonwealth Government to deliver an interchange for the Majura Park complex.**

##### Government Response

Noted.

Refer to the response to recommendation 25 above.

## **RECOMMENDATION 27**

**The Committee recommends that the ACT Government provide analysis of what infrastructure will be required to support the proposed Riverview development.**

### Government Response

Noted.

To date the due diligence analysis for the ACT Riverview project has identified a preliminary scope of major infrastructure works to develop up to 4,500 blocks. These works would be project funded at a cost of approximately \$62 million, including GST and 30 per cent contingency. The current offsite infrastructure items include:

- a) two Regional water quality ponds;
- b) upgrades to existing roads;
- c) trunk water supply pipeline to proposed two reservoirs within the estate; and
- d) trunk sewer pipes.

As the project design advances and further studies confirm the service demand nexus to the project other infrastructure works may be required.

## **RECOMMENDATION 28**

**The Committee recommends that the Land Development Agency detail every year in its Statement of Intent the number of construction ready blocks 'on the shelf' available for immediate release.**

### Government Response

Not agreed.

A key deliverable contained in the Statement of Intent (SOI) includes delivering the Government's agreed Indicative Land Release Programs (ILRP) for residential, commercial, industrial and community land uses. The ILRP identifies parcels of land that are targeted for release; it is publicly available and is updated every year. The Land Development Agency (LDA) also identifies all land that it releases, in its SOI. The number of construction ready blocks 'on the shelf' varies from day to day. Accordingly it is difficult to accurately detail blocks 'on the shelf' prior to their actual availability.

## **RECOMMENDATION 29**

**The Committee recommends that the Budget document the number of dwellings to be released, broken down by type, such as standard residential blocks, terraces and town houses.**

### Government Response

Noted.

This information will be provided in the indicative land release program.

### **RECOMMENDATION 30**

**The Committee recommends that the Land Development Agency update their website with accurate information about the timing of the development of new suburbs.**

#### Government Response

Agreed.

Sites identified in the Government's Indicative Land Release Programs are sometimes subject to a number of risks, for example Commonwealth environmental approvals. As these risks impact the delivery of projects the LDA makes necessary adjustments to ensure impacts to broader land supply and sales revenue are mitigated.

The LDA is currently updating its website including repositioning of information that will help clarify the stages of development for future suburbs.

### **RECOMMENDATION 31**

**The Committee recommends that the Land Development Agency present the reasons why there was only one registered bidder for the Denman auction.**

#### Government Response

Noted.

The LDA's commercial sales adviser has indicated that a number of property developers who had originally expressed interest in the auction were subject to unexpected commercial restructures or changes in corporate business priorities. This is considered a normal commercial risk when preparing a sales release strategy which is why the LDA seeks advice from reputable local sales agents.

### **RECOMMENDATION 32**

**The Committee recommends that the Land Development Agency advise the Community Services Directorate on the capability of the market to develop property, such as redevelopment of the Allawah, Bega and Currong (ABC) flats site.**

#### Government Response

Agreed.

### **RECOMMENDATION 33**

**The Committee recommends that the ACT Government detail in the Assembly, before the recommencement of debate on the Appropriation Bill 2013-2014, the cost implications of Variation 306 on:**

- the land release program; and
- house and land prices in the ACT.

#### Government Response

Not agreed.

Variation 306 is not expected to have a significant impact on the Land Release Program or on house and land prices.

#### **RECOMMENDATION 34**

**The Committee recommends that the Land Development Agency undertakes a review of Variation 306.**

##### Government Response

Not agreed.

ESDD is responsible for Variation 306 and would therefore take carriage for any review. The LDA is able to provide input.

#### **RECOMMENDATION 35**

**The Committee recommends that the Minister for Economic Development apologise for officials describing the response by ‘segments of the industry’ as ‘hysteria’ with regard to Variation 306.**

##### Government Response

Not agreed.

#### **RECOMMENDATION 36**

**The Committee recommends that the ACT Government consider extending the restorative justice program to adults.**

##### Government Response

Agreed in principle.

The ACT Government is supportive in principle of expanding restorative justice processes to include adult offenders. The *Crimes (Restorative Justice) Act 2004* (the Act) includes the framework to expand the scheme to include adult offenders and more serious offences including domestic violence and sexual offences as part of phase two of the Act. To enable further consideration by Government of phase two, the Justice and Community Safety Directorate (JACS) is currently consulting with key stakeholders in relation to the development of guidelines for the management of domestic violence and sexual assault offences. These guidelines will ensure a robust set of principles and procedures, building on the existing suitability criteria set out in the Act, to ensure victim participation is safe, well informed and genuinely voluntary. The implementation of phase two would require additional resources to adequately manage the increase in referrals to restorative justice and will be subject to a future budget consideration.

#### **RECOMMENDATION 37**

**The Committee recommends that the ACT Government consider linking policy, guidelines, black letter law, regulations and instruments in connected and accessible ways when redeveloping the ACT Legislation Register.**

##### Government Response

Agreed in principle.

The ACT Government is committed to maintaining the ACT legislation register as the means of notifying ACT laws and making them available to the public. The register is currently a comprehensive repository of ACT laws, both current and historical. This

includes Bills, Acts and a wide range of legislative instruments. The register also contains other material which may be of interest to users of legislation (eg explanatory statements). In the redevelopment of the Legislation Register, consideration will be given to expanding this to include additional material or links to material that would be of assistance to its users and consistent with the role of the register. However, implementation of this will be subject to future budget considerations.

#### **RECOMMENDATION 38**

**The Committee recommends that the ACT Government not proceed with the proposed cuts to the Office of the Director of Public Prosecutions and review the funding for the Office to ensure the capability and funding of the office matches the workload.**

##### Government Response

Not agreed.

As with many Government agencies, the Office of the Director of Public Prosecutions (DPP) has been required to find savings. It would not be appropriate for the DPP to be exempt from finding efficiencies as the rest of Government is required to do. The ACT Government has provided additional funding to the DPP in the 2013-14 Budget for Remuneration Tribunal increase and the Eastman Inquiry. The Budget also includes cessation of the one-off funding provided in 2012-13 for the Supreme Court Blitz initiative.

#### **RECOMMENDATION 39**

**The Committee recommends that the ACT Government recover the overpayment of estimated parking revenue from the Woden Tradesmen's Union Club.**

##### Government Response

Not agreed.

There is no overpayment under the contract. The Office of Regulatory Services paid the set amount to the Woden Tradesmen's Union Club as per the Car Park Fee Collection and Enforcement Agreement.

#### **RECOMMENDATION 40**

**The Committee recommends that the Justice and Community Safety Directorate present all the documentation surrounding the negotiations for parking with the Tradesmen's Union Club to the Assembly.**

##### Government Response

Noted.

These documents are the subject of a Freedom of Information request and relevant documents will be published on the open government website.

#### **RECOMMENDATION 41**

**The Committee recommends that the ACT Government provide the Assembly with full details of the cost discrepancy between the estimate of parking revenue and the actual amount received by the ACT Government for all entities with which the ACT**

**Government holds parking contracts over the previous five years and an explanation as to why any entities have been paid an amount more than was actually received by the Government.**

Government Response

Noted.

In the past five years there was an agreement entered into with the Westfield Management Limited (July 2009 to April 2010). This agreement was based on the Territory retaining 50 per cent of the actual revenue collected, hence no discrepancy.

In July 2011 the Territory entered into an agreement with the Woden Tradesmen's Union Club. The agreement ceased in May 2013. As noted in the Auditor-General's Performance Audit Report – ACT Government Parking Operations, calculating revenue actually generated by the use of car parks on the Club's land was difficult as motorists also used prepaid tickets and tickets from any of the machines in the overall car park to pay for parking.

**RECOMMENDATION 42**

**The Committee recommends that the Justice and Community Safety Directorate present the Assembly with information about the Office of Regulatory Services' financial arrangements for the provision of pay parking on non-government land.**

Government Response

Noted.

JACS will undertake enforcement of parking on non-government land if the car park complies with Australian Road Rules and JACS is formally invited to undertake enforcement activities. Where JACS is invited to undertake enforcement, the revenue received from parking fines forms part of Territory revenue. JACS does not have any other financial arrangements for the provision of pay parking on non-government land.

**RECOMMENDATION 43**

**The Committee recommends that the ACT Government provide the Assembly with details of recidivism rates for ACT prisoners for the last 10 years.**

Government Response

Not agreed.

As per the Government's response to QTON No: 262; while it may be possible for ACT Corrective Services to undertake work to retrospectively identify a recidivism rate for ACT detainees held in NSW prior to March 2009, this would involve considerable allocation of resources as old records, including archived files, would need to be located to firstly identify one or more cohorts of detainees and then to measure their recidivism rate. The need to source data in this way has the potential to undermine the accuracy of the data. As a consequence, the Government does not propose to undertake this work.

#### **RECOMMENDATION 44**

**The Committee condemns the ACT Government for misleading the community when the then Attorney General, Mr Simon Corbell MLA stated in 2007 that the Alexander Maconochie Centre would have adequate capacity for 25 years.**

##### Government Response

Not agreed.

Reliably forecasting accommodation requirements in correctional institutions is inherently difficult as forecasters are unable to predict what changes might occur in regard to population trends, legislation trends and sentencing trends that develop after the forecasting has been completed.

It is also the case that detainee numbers can vary significantly over relatively short periods of time. For instance, during 2012-13 detainee numbers varied from a daily average during the month of September 2012 of just over 282, back to figures as low as 234 in January 2013 to around 300 detainees at end June 2013.

#### **RECOMMENDATION 45**

**The Committee recommends that the ACT Government immediately establish a fifth judge in the Supreme Court of the ACT.**

##### Government Response

Not agreed.

The comparisons of data between total lodgements, criminal and civil, per judicial officer show that the ACT Supreme Court has a lower number of matters per judge than the superior courts of New South Wales, Tasmania, Queensland, and South Australia. The ACT Supreme Court's workload is in turn only slightly higher than that of the Victorian and Western Australian superior courts. Only the Northern Territory has a clearly lower workload per judge. This comparison shows that efficiencies remain to be achieved in how the ACT Supreme Court deals with its civil and criminal cases as compared to other jurisdictions.

The Government's legislative, administrative, and policy support programs for the ACT Supreme Court are already demonstrating that efficiency measures are an effective response to delays. The Government introduced legislation to support the Court's new docket system in the *Court Legislation Amendment Act 2012*. The docket system promotes consistent and efficient case management by assigning all matters to a single judge, from commencement to finalisation. The "blitz" on outstanding cases that ended in August 2012 finalised 99 outstanding criminal matters and 115 civil matters in the Supreme Court. The Government expects that the 2012-13 backlog figures for the Supreme Court will show improvement and demonstrate the benefits of these legislative, administrative, and policy improvements.

Before the Government commits public money, it must be sure that its existing resources are used as efficiently as possible, and that the ongoing workload justifies the expenditure.

The ACT Government does not agree that circumstances warrant the appointment of a fifth judge at this time. The evidence does not indicate a workload sufficient to support the appointment of a fifth Judge.

#### **RECOMMENDATION 46**

**The Committee recommends that the ACT Legislative Assembly Standing Committee on Justice and Community Safety Committee inquire into the management and the effectiveness of the ACT Supreme Court.**

##### Government Response

Noted.

This is a matter for the Standing Committee on Justice and Community Safety to decide.

#### **RECOMMENDATION 47**

**The Committee recommends that the ACT Government investigate acquiring an additional “Bronto” high fire fighting platform and associated staffing.**

##### Government Response

Noted.

Any acquisition of this nature would need to be considered in the context of future budget priorities.

#### **RECOMMENDATION 48**

**The Committee recommends that the ACT Government release all internal reviews and documents relating to the capability and funding of each of the four emergency services of the Emergency Services Agency.**

##### Government Response

Not agreed.

As per the Government’s response to an Estimates question taken on notice during the 2013 Estimates hearings, a number of internal reviews that have been undertaken are considered to be financial, budget or commercial in confidence or are of an internal operational nature that is not considered appropriate for public release.

#### **RECOMMENDATION 49**

**The Committee recommends that the ACT Government expedite the establishment of an ACT Rural Fire Service Museum.**

##### Government Response

Noted.

The ACT Rural Fire Service Museum working group is continuing its work to develop recommendations for the Government’s consideration. Funding for a proposed RFS Museum would need to be considered in the context of future budget priorities.

## **RECOMMENDATION 50**

**The Committee recommends that that the ACT Government provide the Assembly with full details of the impact of \$15 million cut to ACT Policing.**

### Government Response

Noted.

The 2013-14 Budget included a general savings measure of 1 per cent applied to the Territorial appropriation for ACT Policing for 2013-14 and each of the budget out years (2014-15 to 2016-17).

ACT Policing is funded for approximately \$150 million in 2013-14 and the impact of the General Savings Measure in 2013-14 is \$1.499 million and the total impact over the four year budget cycle is \$15.362 million.

Most ACT Government agencies (including statutory office holders) have been subject to efficiency dividends and a range of savings measures for a number of years. This is the first specific budget savings measure that has been applied to ACT Policing.

At the 2013-14 Budget Estimates Hearing, Acting Chief Police Officer, David Pryce informed the Committee on Estimates that ACT Policing is confident its front line police services for the next financial year will not be affected. The out years will be a matter of further discussion under the purchase agreement arrangement.

## **RECOMMENDATION 51**

**The Committee recommends that, following the delays identified in a recent incident regarding a warrant, the ACT Government should provide the Assembly with the outcomes of any internal reviews and/or discussions the ACT Coroner into the warrant process.**

### Government Response

Noted.

The JACS, ACT Policing and the ACT Law Courts are considering whether there are opportunities to improve legislative, procedural or other supporting arrangements for dealing with crime scene and coronial matters.

## **RECOMMENDATION 52**

**The Committee recommends that the ACT Government detail for the Assembly whether or not it is concerned that the shortfall in the Legal Aid Commission funding will affect the ability of individuals seeking legal assistance to fully participate in the ACT legal system.**

### Government Response

Noted.

The ACT Government remains vigilant in relation to the ability of individuals to seek legal assistance to allow them to fully participate in society. The ACT Government is taking an active part in the current review of the National Partnership Agreement on Legal Assistance Services, which governs the distribution of funds to legal aid bodies around

Australia, and is keenly interested in the results of the review. The allocation of resourcing within Legal Aid is a matter for the Legal Aid Commission. The Legal Aid Commission has in the past few years taken action to streamline its processes and considered its own governance to provide better services. The ACT Government continues to support particular Legal Aid initiatives such as the Legal Aid Help Desk. The Government also provides support for Legal Aid in relation to matters that would otherwise detract from Legal Aid's ability to provide legal assistance, such as funding for expensive cases, the Supreme Courts Blitz and the Eastman Inquiry.

### **RECOMMENDATION 53**

**The Committee recommends that the ACT Government consider reporting Health and Community Care and ACT Local Hospital Network accountability indicators together in future budgets.**

#### Government Response

Not Agreed.

It is a requirement of the *Financial Management Act, 1996* (section 12) that all Directorates have accountability indicators.

### **RECOMMENDATION 54**

**The Committee recommends that the ACT Government use the most up to date data when compiling the Budget papers.**

#### Government Response

Agreed.

### **RECOMMENDATION 55**

**The Committee recommends that the ACT Government advise the Assembly on why the ACT is the worst or near worst performing jurisdiction in elective surgery achievements.**

#### Government Response

Not Agreed.

The ACT was the only jurisdiction to meet its targets under the National Elective Surgery Target (NEST) in 2012. Over the last three years the Government has provided additional funding which has resulted in record levels of access to Elective Surgery in the ACT over the past three years.

Until there is a nationally consistent approach for elective surgery categorisation it is not possible to measure jurisdictions against jurisdictions or national averages. In a report published in July 2013, The Australian Institute of Health and Welfare (AIHW) and the Royal Australian College of Surgeons (RACS) provided evidence about the inability to measure performance between jurisdictions due to considerable variations in classifications of elective surgery patients. For example, the report found that 49 per cent of ACT elective surgery patients are classified as category two patients, against the NSW figure of 32 per cent.

This identifies major variations between jurisdictions, and as such it is not possible to judge the relative performance of states and territories in meeting elective surgery waiting times.

The AIHW and RACCS propose a national approach for elective surgery categorisation to provide for more simple definitions for each category rather than the current national definitions. Also all jurisdictions should have the same end target to ensure that all elective surgery patients are admitted within established timeframes.

#### **RECOMMENDATION 56**

**The Committee recommends that the ACT Government advise the Assembly about when the ACT will achieve national average or better than the national average in elective surgery performance.**

##### Government Response

Not agreed.

Until all jurisdictions adopt the same methodology for elective surgery categorisation it is not possible to compare against the same targets.

#### **RECOMMENDATION 57**

**The Committee recommends that the ACT Government advise the Assembly why the ACT has the longest emergency department waiting times in the country and why ACT waiting times have deteriorated so significantly.**

##### Government Response

Noted.

The ACT Government tabled in March 2013 its *Emergency Access Plan* for 2013-2017 which detailed actions to be implemented over the next four years to improve waiting and treatment times within our public hospital emergency departments. The plan recognises that improvements to emergency department times must include changes to the way the whole hospital works and improved partnerships between hospitals and community services.

#### **RECOMMENDATION 58**

**The Committee recommends that the ACT Government provide details to the Assembly on the key lessons learnt from Western Australia's successful implementation of the emergency department four-hour length of stay rule.**

##### Government Response

Agreed.

Key lessons learnt from Western Australia include:

- the key objective should be on quality of patient care to drive whole of hospital change and not target focused. This is imperative to engage clinician support;
- executive leadership, support and accountability is vital;

- dedicated resources in the area of Clinical Service Redesign(CSR), together with proven redesign methodologies imperative;
- three years of hard work and commitment to progress changes using a sound change management approach;
- improvement solutions based on true root causes supported by robust data;
- ongoing training and education provided to Executives and project teams to ensure change management and leadership are sustained;
- ongoing evaluation of redesign projects; and
- key organisational changes to ensure ongoing evaluation and strategy development to meet KPIs.

ACT Health continues to address quality of patient care initiatives including:

- through the Patient Flow Steering Committee to provide advice and oversight the patient flow project;
- senior clinicians and other staff have visited Western Australia to gather knowledge;
- the Chief Minister is planning to visit Queensland Health in the near future to see at first hand how they have managed big improvements in a short amount of time; and
- embedding staff with redesign skills within the hospital and health service areas to bring them closer to clinical areas.

#### **RECOMMENDATION 59**

**The Committee recommends that the ACT Government advise the Assembly of the outcomes from the action plan that was developed in response to the ACT Auditor-General's 2012 report into *Emergency Department Performance Information* and the PricewaterhouseCoopers report into the *integrity of Emergency Department records and processes at The Canberra Hospital*.**

##### Government Response

Noted.

The Report was provided to the Committee in June 2013.

#### **RECOMMENDATION 60**

**The Committee recommends that the ACT Government advise the Assembly why it has taken so long to backfill the Executive Director for Critical Care position.**

##### Government Response

Agreed.

An unsuccessful recruitment round was held in February 2013. A second round of recruitment is currently underway.

## **RECOMMENDATION 61**

**The Committee recommends that the ACT Government develop strategies to educate older Canberrans on the dangers of alcohol use in relation to the risk of falls and subsequent injuries.**

### Government Response

Agreed in principle.

ACT Health will examine more closely the degree to which alcohol may be a contributing factor in relation to falls injuries and, if required, how current efforts in the area of falls prevention and early intervention may be strengthened.

## **RECOMMENDATION 62**

**The Committee recommends that the ACT Government provide a quarterly report to the Assembly outlining the progress, scope, budget and delivery date of the Aboriginal and Torres Strait Islander Alcohol and other Drug Rehabilitation centre.**

### Government Response

Not agreed.

In addition to responding to questions at the select committee hearings and to questions on notice, the ACT Government also publishes a quarterly report on capital works projects which includes information on the Aboriginal and Torres Strait Islander Alcohol and other Drug Rehabilitation Centre. The Government also reports on progress of capital works projects in the annual mid year review.

## **RECOMMENDATION 63**

**The Committee commends the staff of the QEII for providing a wonderful service over the last 50 years.**

### Government Response

Noted.

This is a matter for the Committee.

## **RECOMMENDATION 64**

**The Committee recommends that when the ACT Government becomes aware of errors in the Budget Papers those corrections be made available to the Estimates Committee as soon as practicable rather than waiting for the day that the Directorate or Agency appears before the Committee.**

### Government Response

Agreed.

## **RECOMMENDATION 65**

**The Committee recommends that the ACT Library Service consider installing a Wi-Fi zone in Civic Square.**

### Government Response

Noted.

Free public Wi-Fi is being considered as part of the Digital Canberra initiative. Community consultation under this initiative is about to begin, and this will assist in deciding where hotspots could be located.

### **RECOMMENDATION 66**

**The Committee recommends that the Minister for Territory and Municipal Services detail his strategy for the delivery of road infrastructure in the ACT for the Assembly.**

### Government Response

Noted.

The current Government strategy for delivery of road infrastructure is in "*Transport for Canberra - Transport for a sustainable city 2012-31*" released March 2012.

### **RECOMMENDATION 67**

**The Committee recommends that the Minister for Territory and Municipal Services remove the speed humps on Spofforth Street.**

### Government Response

Noted.

The Government has already announced the removal of seven of the eleven existing sets of speed cushions on Spofforth Street and the addition of alternative traffic calming measures.

### **RECOMMENDATION 68**

**The Committee recommends that the Minister for Territory and Municipal Services present the Assembly with the program of road duplications in the Territory.**

### Government Response

Noted.

Current proposed projects are in the "*Transport for Canberra - Transport for a sustainable city 2012-31*" policy released March 2012.

### **RECOMMENDATION 69**

**The Committee recommends that the ACT Government manage road works in a coordinated way to avoid multiple projects occurring at the same time in the same location (e.g. Charnwood shops).**

### Government Response

Noted.

Strategies are in place to coordinate work to minimise disruption. Roads ACT will continue to monitor impacts and seek to improve the processes.

## **RECOMMENDATION 70**

**The Committee recommends that the Territory and Municipal Services Directorate present in the Budget information about the waste tonnage sent to landfill, broken down by residential kerbside collection and commercial waste.**

### Government Response

Agreed.

For 2013-14 a breakdown is shown in Note 1 of the table for Output 1.3 on page 378 of Budget Paper No 4.

## **RECOMMENDATION 71**

**The Committee recommends that the ACT Government finalise, as a matter of urgency, the on-going issues at the Pialligo Quarry.**

### Government Response

Noted.

A draft licence was provided to the operator of the Pialligo Quarry on the 31 July and officers from the Environment Protection Agency and TAMS have met with the operator to confirm the conditions of the licence. Finalisation of the licence and Development Approval (DA) are subject to the relevant DA processes.

## **RECOMMENDATION 72**

**The Committee recommends the ACT Property Group clearly articulate in an online published document the policy of providing facilities for community groups.**

### Government Response

Agreed.

The ACT Property Group details the arrangements for the provision of government property for community groups on the TAMS website at [http://www.tams.act.gov.au/city-services/act\\_property\\_group/leasing\\_government\\_property](http://www.tams.act.gov.au/city-services/act_property_group/leasing_government_property)

## **RECOMMENDATION 73**

**The Committee recommends that the ACT Government detail the strategy for improving the financial and patronage performance of ACTION.**

### Government Response

Noted.

The Government has provided funding in the 2013-14 Budget to undertake a review of ACTION. This review will consider a range of aspects in relation to the performance of ACTION. The Government will consider future strategies following the outcome of this review.

## **RECOMMENDATION 74**

**The Committee recommends that the ACT Government undertake a complete review of the ACTION network.**

#### Government Response

Agreed.

Review of the ACTION network is an ongoing process to facilitate delivery of services to the ACT community. The network is currently under review with public consultation on a revised network to occur in the coming months.

#### **RECOMMENDATION 75**

**The Committee recommends that ACTION feeder buses synchronise with the inter-town buses.**

#### Government Response

Noted.

This already occurs for various services and is also a consideration in the current network review.

#### **RECOMMENDATION 76**

**The Committee recommends the Minister for Territory and Municipal Services demonstrate how many existing bus users will cease using buses and use Capital Metro instead.**

#### Government Response

Noted.

The Light Rail Integration Study currently underway will provide some base information on the optimum interaction with ACTION, along with other transport systems along the corridor.

#### **RECOMMENDATION 77**

**The Committee recommends that ACTION publish detailed information from the MyWay ticketing system including: boardings by route; average distance; fare types; timeliness of buses; and other network information.**

#### Government Response

Noted.

ACTION is currently developing a reporting framework that will examine the types of information that should be made available on a regular basis for both internal and external purposes.

## **RECOMMENDATION 78**

**The Committee recommends that ACTION publish the total operating cost of the Compressed Natural Gas fleet versus diesel buses.**

### Government Response

Noted.

The total operating costs for the fleet vary depending on vehicle use, the nature of required repairs and operating conditions. The costs of publishing this information on a regular basis are likely to outweigh the benefits. This type of reporting will be considered in the abovementioned reporting framework currently being developed.

## **RECOMMENDATION 79**

**The Committee recommends that the ACT Government provide details to the Assembly of how the transition of disability service providers to DisabilityCare will be implemented at least six months prior to commencement of the launch in the ACT, to ensure sufficient preparation time.**

### Government Response

Agreed in principle.

It may not be possible to provide a full transition plan within the six month period as requested by the Committee.

The ACT has commenced bilateral discussions with DisabilityCare Australia for the implementation phase to transition both clients and service providers to DisabilityCare over the two year period commencing from 1 July 2014. Under the Bilateral Agreement with the Commonwealth the ACT is required to have these negotiations completed by February 2014. The outcome of the agreement in February may influence sector development activities for people with disabilities, family and providers.

In preparing the service sector for the introduction of DisabilityCare Australia a community sector forum is being held 6 weekly. This forum is coordinated through a steering group with representatives from National Disability Services ACT, ACT Council of Social Services (ACTCOSS), the Mental Health Community Coalition and the ACT National Disability Insurance Scheme (NDIS) Taskforce. Three meetings have been held to date, with between 60 and 80 representatives from community sector organisations attending each meeting. These forums are providing the opportunity to fully engage with the sector as transitional arrangements are being considered. The direct input from the sector has been invaluable in these discussions.

## **RECOMMENDATION 80**

**The Committee recommends that the Minister for Disability, Children and Young People detail for the Assembly what coordination and consultation took place between the ACT and the Commonwealth regarding the Commonwealth's \$22 million television advertising campaign in order to ensure that ACT residents receive the essential information on DisabilityCare.**

### Government Response

Agreed.

The television advertising campaign is part of a national campaign, designed to inform Australian's of the changes that DisabilityCare will deliver across the nation. The advertising program was fully funded by the Commonwealth.

The ACT message, that launch will commence in the ACT from July 2014 is consistent with the Bilateral Agreement signed by the then Prime Minister, Julia Gillard and the ACT Chief Minister, Katy Gallagher at the COAG meeting of 7 December 2013. This bilateral agreement was developed through a series of discussions between senior officials and respective ministers.

The Commonwealth provided senior officials with an advance screening of the national advertising campaign on the Friday 14 June 2013 prior to the national campaign starting two days later on Sunday 16 June 20.

A Communication protocol will form part of the Implementation Plan for launch of DisabilityCare in the ACT and will include key messaging and responsibilities.

## **RECOMMENDATION 81**

**The Committee recommends that the Community Services Directorate provide details in its annual report about the number of Welcome to Country ceremonies commissioned by the ACT Government and the associated budget allocation.**

### Government Response

Agreed.

The ACT Government supports Whole of Government reporting. The Community Services Directorate and Chief Minister and Treasury Directorate will work together to identify where to publish 'Welcome to Country' ceremonies, the Elders involved and the payments to ensure timely and accurate reporting. This was agreed during the Estimates process.

## **RECOMMENDATION 82**

**The Committee recommends that the Minister for Aboriginal and Torres Strait Islander Affairs outlines action he is taking with regards to concerns raised by Mr Stanhope, former Minister for Aboriginal and Torres Strait Islander Affairs, about the conduct of meetings of the United Ngunnawal Elders Council.**

### Government Response

Noted.

The Minister has met and will meet with the Ngunnawal Elders, including those affiliated with the United Ngunnawal Elders Council. The Minister has sought that the Elders Council be inclusive of all those who have been a part of the Council. The Council still has been able to give valuable advice on culture and connection to country to those who have sought advice. Further consultation with representatives of the local Aboriginal community and officials from the Community Services Directorate will be undertaken.

## **RECOMMENDATION 83**

**The Committee recommends that the ACT Government conduct a review of all Indigenous program funding in the ACT and ensures that the investment is meeting the *Closing the Gap* targets.**

### Government Response

Agreed.

The ACT Government, through the work of the ACT Public Service Strategic Board Sub-Committee on Aboriginal and Torres Strait Islander Affairs, has been working across agencies to analyse expenditure and identify gaps in services if any. This will be reflected in the 2014 Closing the Gap Report.

## **RECOMMENDATION 84**

**The Committee recommends that when reporting Indigenous statistics and where possible and appropriate, actual numbers should be given as well as a percentage given the small sample size.**

### Government Response

Agreed in principle.

The ACT Government will continue refining its data collection and when reporting Indigenous statistics, will provide de-identified data including actual figures and percentages, where possible and appropriate.

#### **RECOMMENDATION 85**

**The Committee recommends that the Community Services Directorate ensure the staffing levels at Bimberi Youth Justice Centre meet operational needs at all times.**

##### Government Response

Noted.

The Bimberi Youth Justice Centre has recruited a pool of casual staff and has inducted and trained these staff to provide coverage of any temporary vacancies. The Centre's staffing establishment reports on a monthly basis to the Director General.

#### **RECOMMENDATION 86**

**The Committee recommends that the Community Services Directorate include an accountability indicator in the 2013-14 Budget that measures the number of days where operational capability at Bimberi Youth Justice Centre is not met due to insufficient staffing levels.**

##### Government Response

Noted.

The Bimberi Youth Justice Centre does not reduce operational capacity below accepted service standards. For example, when staff illness is at a high level, deployment of casual staff and reconfiguring of daily programs mitigate any risk to operational capability. There are Business Continuity plans established to ensure this occurs. Such a measurement would therefore not be meaningful.

#### **RECOMMENDATION 87**

**The Committee recommends the ACT Government increase its efforts to shorten time lines for adoption in the ACT.**

##### Government Response

Noted.

The delay in the timelines for inter-country adoptions in the ACT is principally determined by the country of origin. While the waiting times for the States' and Territories' work concerning inter-country adoptions have been reduced, the waiting times imposed by the country of origin are increasing. This is often due to the international demand for adoption not being a priority for the country of origin. The dialogue between the country of origin and Australia is a matter for the Commonwealth.

#### **RECOMMENDATION 88**

**The Committee recommends that the Minister for Housing clarify for the Assembly the policy on tenure in public housing and evicting public housing tenants who earn more than \$80,000 per year.**

##### Government Response

Agreed.

In 2007, Government implemented a policy to remove security of tenure for people earning over \$80,000 for two consecutive years as a means of encouraging people with financial capacity to successfully transition from public housing and access other tenure options. This policy acknowledges the need to make the most effective use of the public housing portfolio within the broader housing continuum.

Where a person is assessed as having capacity to access and sustain alternate tenure, they are assisted to access alternative tenure.

When it was adopted in 2007, the income limit was set at an appropriate level to target people with financial capacity to access other tenure options, including Shared Equity, which has been the primary pathway for people who have exited the system. The Government is examining whether the income level of \$80,000 is still the most appropriate level to be supported to exit the public housing system.

#### **RECOMMENDATION 89**

**The Committee recommends that the Minister for Housing clarify for the Assembly whether or not he still supports the housing tenure policy the ACT Greens took to the 2012 ACT Election.**

##### Government Response

Not agreed.

The Estimates process should be used for scrutiny of the Budget and not for exploring the policy positions of individual members.

#### **RECOMMENDATION 90**

**The Committee recommends that the ACT Government publish in the budget the number of stop-work notices issued.**

##### Government Response

Not agreed.

Information on the number of stop work notices issued is more appropriately published in the Environment and Sustainable Development Directorate's (ESDD) Annual Report.

#### **RECOMMENDATION 91**

**The Committee recommends that the ACT Government publish in the Environment and Sustainable Development Directorate Annual Report the number of Development Applications assessed.**

##### Government Response

Agreed.

Information on the number of development applications assessed is currently included in the ESDD's Annual Report in the Analysis of Agency Performance chapter.

#### **RECOMMENDATION 92**

**The Committee recommends that the ACT Government publish the impact Variation 306 is having on the workload of Environment and Sustainable Development Directorate.**

### Government Response

Not agreed.

It is not possible to measure the impact of Variation 306 on the ESDD. Workloads associated with Variation 306 are the regular business of the Directorate.

### **RECOMMENDATION 93**

**The Committee recommends that the ACT Government publish a strategy for the redevelopment of public housing units on Northbourne Avenue.**

### Government Response

Noted.

The possible redevelopment of all government landholdings along Northbourne Avenue is being considered in the context of supporting light rail in this corridor. The government expects to release its property strategy for the corridor in 2014.

### **RECOMMENDATION 94**

**The Committee recommends that the Government clearly publish the operations of the Carbon Neutral Fund.**

### Government Response

Agreed.

Details on the projects supported through the Carbon Neutral Government Loan Fund are listed on the ACT Government website, updated each funding round. Guidelines for applicants are also available publicly on the website. The operation of the Fund is reported in the ESDD annual report.

### **RECOMMENDATION 95**

**The Committee recommends that the ACT Government publish in the budget information about the targets and performance of the Territory regarding greenhouse gas emissions.**

### Government Response

Not Agreed.

The ACT Government prepares two reports in accordance with the *Climate Change and Greenhouse Gas Reduction Act 2010* (the Act) to report on sources of greenhouse gas emissions and tracking of targets in the ACT. An independent entity must provide the Minister with an annual report (Greenhouse Gas Inventory) of emissions in the Territory within three months after the end of the reporting period. The Minister then has 21 days to present the report to the Assembly. Performance towards the emission reduction targets are also included in the Minister's Annual Report under the Act.

### **RECOMMENDATION 96**

**The Committee recommends that the ACT Government as a matter of priority establishes a single Nature Conservation Agency.**

### Government Response

Noted.

Options to establish a single conservation agency are being developed for Government consideration.

### **RECOMMENDATION 97**

**The Committee recommends that the ACT Government make publicly available the current Cost Benefit Analysis and that all further analysis be publicly available as it is completed.**

### Government Response

Agreed in principle.

The Government is keen to continue providing as much information as it can to the public. To that end, it has released its submission to Infrastructure Australia, and a number of key documents that have informed over time the development of the project. No commitment can be made to publishing all further analysis as it is completed, however, because of the commercially sensitive nature of much of that material and the need to ensure the Territory achieves value for money. Wherever practicable, material will be released as it becomes commercially prudent to do so.

### **RECOMMENDATION 98**

**The Committee recommends that the Capital Metro Agency publish a detailed timeline of the light rail project on an ACT Government website.**

### Government Response

Agreed.

Project Update 3, published on the ACT Government website in September 2012 included an indicative timeline for the project. As further detail is developed around the timing for major milestones in the Project Plan, that information will be published through future Project Updates.

### **RECOMMENDATION 99**

**The Committee recommends that the ACT Government release the submission to Infrastructure Australia and all other documents relating to light rail.**

### Government Response

Agreed in part.

The Government has already released the submission to Infrastructure Australia (on 27 July 2013), and material developed in support of that submission.

Subject to considerations outlined in the response to recommendation 97 above, the Government would consider publication of any other material as it becomes prudent and commercially appropriate to do so.

### **RECOMMENDATION 100**

**The Committee recommends that the Capital Metro Agency publish a detailed budget of the light rail project on an ACT Government website.**

#### Government Response

Not agreed.

Indicative costs associated with various elements of the project, used in preliminary costing exercises have been made available through Project Updates and other material released by the Government, and published on the ACT Government website. Publication of a detailed project budget at this time is neither practical nor prudent given the commercial sensitivity associated with the design, procurement and delivery of the project.

### **RECOMMENDATION 101**

**The Committee recommends that the ACT Government detail how the Capital Metro project will be funded.**

#### Government Response

Agreed in principle.

The ACT Government has identified a range of options to fund the project. The analysis required to inform the detail of funding options available to Government is currently being undertaken.

The Government will also continue to seek to secure contributions to costs associated with the design and planning, and possibly the procurement and delivery of the infrastructure from the Commonwealth.

### **RECOMMENDATION 102**

**The Committee recommends that the ACT Government release all details concerning the cost of running the Capital Metro, the amount expected to be collected through the fare box, the degree of supplementation to be paid and the exposure of the Territory in a Public Private Partnership due to an under achievement of projected boarding.**

#### Government Response

Not agreed.

Detailed analysis of the matters raised in this recommendation is a key element of the project. The commercially sensitive nature of them, particularly in terms of engagement with the private sector in the delivery of the project, would be such that they could not be published at least until the conclusion of any financial negotiations on the project.

### **RECOMMENDATION 103**

**The Committee recommends that the ACT Government detail how much rates and land tax will increase on the Capital Metro route.**

#### Government Response

Noted.

Total revenue from rates and land tax will increase, over time, in line with the increase in the number of properties in the corridor. Land tax will also increase in line with any increase in the value of the property. Detailed analysis of likely rates and land tax returns from properties directly affected by the Capital Metro is a key element of the project.

#### **RECOMMENDATION 104**

**The Committee recommends that the ACT Government make publically available maps detailing the areas of expected greater density along the route of the Capital Metro.**

##### Government Response

Agreed.

The Territory Plan identifies current land use zoning for land along the corridor. These existing policies identify provisions for increasing density of development.

As more detail becomes available throughout the development of land use considerations along the corridor, community engagement activity will include relevant maps and development intensity information. Any changes to existing land use controls would require a formal Variation to the Territory Plan.

#### **RECOMMENDATION 105**

**The Committee recommends that the Government detail what impact Capital Metro will have on ACTION.**

##### Government Response

Agreed.

The Light Rail Integration Study currently underway will provide base information as to the optimum interaction with ACTION, along with other transport systems along the corridor. The extent of any changes to the ACTION network will be made known through community engagement activity as the project progresses and that level of detail becomes known.

#### **RECOMMENDATION 106**

**The Committee recommends that the ACT Government detail the projected patronage of Capital Metro.**

##### Government Response

Agreed in principle.

Preliminary estimates have been published in material available through the ACT Government website. Those estimates will be revised as the project is progressed. The revised patronage forecasts will inform a number of decisions including estimated station, stop and rolling stock needs and configuration as well as headway requirements, and as such may be commercially sensitive until the conclusion of any negotiations with the private sector around the delivery of those services. It is also possible that those forecasts would form part of any operating arrangements, and so the commercial sensitivity of them may extend for some time after financial close of the project.

Nonetheless, once there is no commercial risk in disclosing those forecasts, the Government would consider releasing them to the public.

#### **RECOMMENDATION 107**

**The Committee recommends that the governance arrangements for Capital Metro, including names of planning and steering committee Members, be published on an ACT Government website.**

##### Government Response

Agreed in part.

Project Update 4, published on the ACT Government website in June 2013 sets out the governance arrangements for the Capital Metro project. That information includes the membership of the Capital Metro Sub-Committee of Cabinet, the responsible Minister, and the members of the Project Board. The name of the Project Director appointed as an interim measure pending recruitment to that position appears in the 'Structure of Government' diagram in 2013-14 Budget Paper 2.

The Government expects to make in the coming weeks an appointment to the role of Chair of the Project Board and to the Project Director. Those appointments will be announced at the time of appointment. It is envisaged that as changes are made to those arrangements, they will be published through future Project Updates on an ACT Government website.

#### **RECOMMENDATION 108**

**The Committee recommends that the Commissioner for Sustainability and the Environment consider the effects of the ACT Governments tax policy, land release program and the Capital Metro on the environment of the ACT as well as the sustainability of the ACT.**

##### Government Response

Noted.

The scope and nature of these matters do not give rise to consideration by the Commissioner and would, in any event, significantly divert the Commissioner's resources. To the extent that environmental or sustainability issues arise from the course of any major projects, the Commissioner may be consulted.

#### **RECOMMENDATION 109**

**The Committee recommends that the ACT Government provide the Assembly with more detail as to how the National Education Reforms will be implemented at an individual school level in the ACT.**

##### Government Response

Noted.

Refer to the National Education reform agreement: Australian Capital Bilateral Agreement.

As the funding model is rolled out this information will become publicly available.

#### **RECOMMENDATION 110**

**The Committee recommends that ACT Government should lobby to ensure a consistent approach is taken to the National Education Reform Agreement across all education sectors in the ACT.**

##### Government Response

Noted.

Agreements have already been reached with all education sectors in the ACT and Commonwealth Government. Consistency across sectors is a fundamental principle of national education reform and was a key consideration in the ACT Government's decision to sign up to the reforms.

#### **RECOMMENDATION 111**

**The Committee recommends that the ACT Government provide the Assembly with more detail on how improvements to teacher quality and teacher training entry qualifications will be determined and the commencement of these initiatives.**

##### Government Response

Noted.

Refer to the National Education reform agreement: Australian Capital Bilateral Agreement.

Further information will be provided as it becomes available.

#### **RECOMMENDATION 112**

**The Committee recommends that the ACT Government provide the Assembly with a breakdown of full-time employee (FTE) numbers in each year's budget papers so as to better define the number of teaching positions compared with current numbers of Directorate staff.**

##### Government Response

Noted.

This level of information is provided in the Directorate's annual reports.

#### **RECOMMENDATION 113**

**The Committee recommends that The Canberra Institute of Technology (CIT) provide the Assembly with an outline of the modelling that was done to determine the costs of CIT's graphic design course.**

##### Government Response

Noted.

The model used to determine the price of the Diploma of Graphic Design is that of a 'fee-for-service' arrangement. Under this approach: estimates are made of all inputs to provide a product suitable for the market; student demand at certain price levels are estimated; and price relativities with competitors are considered.

This is the same model as most private business would use to determine pricing of their products in an open market. It should be noted that CIT has been operating in the 'fee-for-service' market to varying degrees for at least the last 20 years.

#### **RECOMMENDATION 114**

**The Committee recommends that The Canberra Institute of Technology (CIT) provide the Assembly with an outline of the modelling and consultation undertaken to determine which current CIT courses will move to full fee recovery.**

##### Government Response

Noted.

CIT is developing its 2014 yearly offerings and one course may be considered for full fee recovery. CIT's process for determining full fee recovery courses is as the response to recommendation 113 and includes consultation with students, industry and government.

#### **RECOMMENDATION 115**

**The Committee recommends that the ACT Government set and publish strategic and accountability indicators for the Higher Education Portfolio.**

##### Government Response

Not agreed.

Where ACT Government Directorates provide specific financial support to higher education institutions these projects are reported in the annual budget papers.

#### **RECOMMENDATION 116**

**The Committee recommends that the ACT Government provide and detail proposed arrangements to the Assembly on ensuring the impact of any overlap between portfolios and programs in the ACT higher education sector between the Higher Education Portfolio, the Education Portfolio and the Economic Development Portfolio is minimised.**

##### Government Response

Noted.

Arrangements are in place to coordinate and align activity across ACT Government. This is consistent with management of across government approaches in other areas and includes a coordination role by CMTD and ongoing communication and collaboration across Directorates.

#### **RECOMMENDATION 117**

**The Committee recommends that the Minister for Higher Education report to the Assembly every six months on the progress of and outcomes achieved by the Higher Education Portfolio.**

##### Government Response

Noted.

In addition to information provided in Directorate annual reports, the Minister for Higher Education will report to the Assembly on Higher Education portfolio on a needs basis.

#### **RECOMMENDATION 118**

**The Committee recommends that the budget for the ACT Auditor General office be set by the ACT Legislative Assembly on a motion moved by the Chair of the Public Accounts Committee.**

##### Government Response

Noted

The determination of the annual budget for the Auditor-General by the Legislative Assembly is beyond the constitutional capacity of the Assembly. Legal advice to this effect has been provided previously to the Public Accounts Committee.

The Government notes that legislation is currently being drafted which proposes that the Speaker advise the Treasurer, and present to the Assembly, details regarding the recommended appropriation and budget for the Auditor-General for the financial year. If the Treasurer presents an Appropriation Bill for the Auditor-General where the appropriation is less than recommended, it is proposed that the Treasurer present a statement outlining reasons for the departure.

#### **RECOMMENDATION 119**

**The Committee recommends that the ACT Government investigate funding ICT adequately to ensure:**

- **resources are available for ICT technical support in ACT public schools; and**
- **all systems are up to a consistent standard as outlined in the Australian Education Union 2013-2014 Budget Submission.**

##### Government Response

Noted.

Substantial investments have already been made to provide a base level of reliable ICT in schools by moving all schools to a single centrally hosted and managed network (SchoolsNet).

The Directorate will continue to work with Shared Services ICT and schools to monitor the success of this support model in meeting schools needs post implementation to ensure the benefits of centrally provided ICT are realised for schools.

The 2013-14 Budget provides an additional \$10.1 million for ICT in ACT public schools under the sustaining smart schools budget initiative.

#### **RECOMMENDATION 120**

**The Committee recommends that the ACT Government examine the need for additional English as an Additional Language or Dialect programs in ACT schools.**

##### Government Response

Noted.

The Education and Training Directorate (ETD) monitors the demand for and participation of students in specialist Introductory English Centre programs to ensure access for students with identified need.

The ACT Government is committed to providing access to intensive English language programs and is undertaking capital works to provide a permanent facility for the Introductory English Centre Program at Wanniasa Hills Primary School.

#### **RECOMMENDATION 121**

**The Committee recommends that the ACT Government investigate funding English as an Additional Language or Dialect education to bring all students up to the level of 4.0 English proficiency.**

##### Government Response

Noted.

Funding for students with English as an Additional Language or Dialect is currently provided to students to meet language proficiency learning needs. As the ACT develops and transitions to the new ACT Needs Based Funding model the ETD will explore alternative resourcing approaches to meet the language proficiency learning needs of students.

#### **RECOMMENDATION 122**

**The Committee recommends that the ACT Government review ACT public schools facilities and provide a statement to the Assembly on the conditions of schools and the status of capital investment.**

##### Government Response

Noted.

The ACT Government currently issues annually the updated Infrastructure Plan that includes educational and childcare facilities.

#### **RECOMMENDATION 123**

**The Committee recommends that the ACT Government honour their election commitment to fund the promised \$70 million for upgrades and maintenance of ACT Government education facilities.**

##### Government Response

Noted.

Election commitments will be delivered over the term of government.

#### **RECOMMENDATION 124**

**The Committee recommends that the ACT Government provide an explanation to the Assembly of ALP's 2012 election commitments, and provide an update on the status of commitments considering a lack of funding in the 2013-14 ACT budget papers.**

##### Government Response

Noted.

The Government is on track to acquit its election commitments over the four year term. The 2013-14 Budget, the first of the new term, provides funding to meet a significant amount of election commitments.

Much of the focus of new expenditure in this budget is on funding the Government's Election Commitments as well as items included in the 2012 Parliamentary Agreement.

#### **RECOMMENDATION 125**

**The Committee recommends that the ACT Government provide details to the Assembly about whether the \$6.2 million in savings from the Education and Training Directorate will be job losses or efficiency dividends, and provide the status of that in the 2013-14 ACT budget.**

##### Government Response

Noted.

The 2013-14 Budget provides an overall increase in funding to the Directorate of \$19.9 million or three per cent. The Directorate has a strong financial management record and will operate within its 2013-14 Budget.

#### **RECOMMENDATION 126**

**The Committee recommends that the ACT Government conduct a review of funding for the Canberra Institute of Technology with attention to whether funding is appropriate to ensure quality of education and to attract and retain the required number of quality teachers from the various industries.**

##### Government Response

Noted.

Funding for CIT, like all agencies is considered annually as part of the ACT Budget process.

#### **RECOMMENDATION 127**

**The Committee recommends that the ACT Government provide the Assembly with the complete timetable for implementing the reduction of stamp duty and the reform in rates for the next 20 years or until the reform is complete.**

##### Government Response

Not agreed.

The Government released the first five years of conveyance duty rates in the 2012-13 Budget and will release rates for 2017-18, as part of a rolling five year programme, during 2013-14.

#### **RECOMMENDATION 128**

**The Committee recommends that the ACT Government reduce penalties around property development commencement and completion in line with statements made by the Treasurer to the Property Council in June 2012, and explore other options to prevent land banking.**

#### Government Response

Not agreed.

The Government has reduced penalties in line with the Treasurer's Statement of 21 June 2013.

#### **RECOMMENDATION 129**

**The Committee recommends that the ACT Government continue to investigate the development of Public Private Partnerships for infrastructure programs.**

#### Government Response

Agreed.

The Government is setting up a specialist team to develop a policy framework and guidance notes for Public Private Partnerships (PPPs) delivery in the Territory. The Government will draw on the National Public Private Partnership Policy and Guidelines endorsed by the Council of Australian Governments in November 2008, as well as best practice from other governments. This work will provide a firm basis for considering the appropriateness of PPPs as a delivery model for major infrastructure investment in the Territory, both now and in the future.

#### **RECOMMENDATION 130**

**The Committee recommends that the ACT Government detail the programs and resources that are currently being provided to gifted and talented education.**

#### Government Response

Noted.

ACT Public schools provide learning environments supportive of the individual needs of all students, including gifted and talented students. Cost estimates of gifted and talent students and other student groups are not maintained by the Directorate.

It should be noted that every school has a staff member identified as a Gifted and Talented Liaison Officer to support development and implementation of programs and strategies that support the needs of gifted and talented students.

#### **RECOMMENDATION 131**

**The Committee recommends that the ACT Government investigate options to establish gifted and talented education program hubs throughout the ACT community.**

#### Government Response

Agreed.

The ETD has commenced the initial planning stages to review the current Gifted and Talented Policy. This review will incorporate the development of consistent advice to schools regarding best practice approaches to the acceleration of Gifted and Talented students. The policy will be finalised in 2014.

#### **RECOMMENDATION 132**

**The Committee recommends that the ACT Government develop a publicly accessible database of schools that provide gifted and talented children education programs and resources.**

##### Government Response

Noted.

All ACT public schools provide for the needs of gifted and talented students.

#### **RECOMMENDATION 133**

**The Committee recommends that the ACT Government look at "tools on the market" that identify students that might benefit from a gifted and talented program.**

##### Government Response

Agreed.

The ETD has commenced the initial planning stages to review the current Gifted and Talented Policy. This review will incorporate the development of consistent advice to schools regarding best practice approaches to Gifted and Talented education including best practice in identification of students. The policy will be finalised in 2014.

#### **RECOMMENDATION 134**

**The Committee recommends the ACT Government looks at options for acceleration of gifted and talented students.**

##### Government Response

Agreed.

The ETD has commenced the initial planning stages to review the current Gifted and Talented Policy. This review will incorporate the development of consistent advice to schools regarding best practice approaches to the acceleration of Gifted and Talented students. The policy will be finalised in 2014.

#### **RECOMMENDATION 135**

**The Committee recommends that the ACT Government engage with the University of Canberra and the Australian Catholic University to develop an undergraduate subject on gifted and talented student education.**

##### Government Response

Noted.

The structure of undergraduate teacher training courses is determined by the universities offering the courses. All universities are required to align teacher education courses with the Australian Professional Standards for Teachers that incorporate differentiated instruction as an element within the standards. Differentiated instruction is a key component used to meet the needs of Gifted and Talented students.

### **RECOMMENDATION 136**

**The Committee recommends that the ACT Government provide an explanation on the allocation of \$318,000 in the Budget for the Preschool Matters program rather than the \$400,000 initially promised.**

#### Government Response

Noted.

The program has a half year effect in 2013-14.

### **RECOMMENDATION 137**

**The Committee recommends that the ACT Government clarify the process of how Diversity ACT is funded and how it was determined that the funding would come from the Youth Portfolio.**

#### Government Response

Noted.

Funding for Diversity ACT in the 2013-14 Budget is from the Community Services Directorate. The funding directed to Diversity ACT will be subject to a Service Funding Agreement which will be notified in accordance with the Government Procurement Act 2001.

There is a rigorous budget process whereby funding initiatives are considered by Cabinet within the broader context of Government priorities and available funding across portfolios. This process was applied for the funding allocated to Diversity ACT.

### **RECOMMENDATION 138**

**The Committee recommends the ACT Government investigate support for accommodation programs for at-risk, lesbian, gay, bisexual, transgender, intersex and queer people.**

#### Government Response

Agreed.

Accommodation programs for at-risk Lesbian, Gay, Bisexual, Transgender, Intersex (LGBTI) is an issue currently being investigated by the LGBTI Community Advisory Council.

### **RECOMMENDATION 139**

**The Committee recommends that listing of Diversity ACT's funding be listed under a new budget line, the current listing in Youth Engagement and Family Support for Youth does not recognise its wide and varying function.**

#### Government Response

Noted.

The funding directed to Diversity ACT will be subject to a service funding agreement which will be notified in accordance with the Government Procurement Act 2001.

Diversity ACT does have a wide and varying function, which includes services and support for LGBTI youth.

#### **RECOMMENDATION 140**

**The Committee recommends that the ACT Government reach a decision on the location for the new RSPCA facility and detail funding arrangements to construct and operate the facility.**

##### Government Response

Agreed.

#### **RECOMMENDATION 141**

**The Committee recommends that the ACT Government provide an additional \$250,000 to the RSPCA to ensure its activities are sustainable into the future.**

##### Government Response

Noted.

A new Service Funding Agreement between TAMS and the RSPCA was signed on 1 July 2013 which relates to the 2013-14 and 2014-15 financial years. Future funding arrangements will be determined when the new RSPCA facility is operational.

#### **RECOMMENDATION 142**

**The Committee recommends the ACT Government ensure the new RSPCA facility contributes to animal welfare.**

##### Government Response

Agreed.

The Government expects that the RSPCA already intends to ensure its facility contributes to animal welfare.

#### **RECOMMENDATION 143**

**The Committee recommends the ACT Government investigates supporting the co-habitation of the RSPCA and the Domestic Animal Services in the new facility.**

##### Government Response

Noted.

On 9 August the ACT Government announced the RSPCA would relocate to a new, purpose-built facility in Narrabundah Lane, Symonston. The new animal care and protection facility will combine the functions of the RSPCA and the ACT Government's Domestic Animal Services, and create a 'one stop shop' for animal welfare, regulatory and compliance issues.

#### **RECOMMENDATION 144**

**The Committee recommends that the ACT Government provide a statement on why it considers its fair that older people who have previously paid stamp duty are now required to pay substantially higher rates.**

### Government Response

Not agreed.

Tax reform is about making our tax system fairer and building a stronger economy. The Government is phasing out conveyance duty over a 20 year period to minimise the impact this reform will have on Canberrans. The Rates Rebate is also available to eligible pensioners and provides an offset to the increases in their general rates.

### **RECOMMENDATION 145**

**The Committee recommends that the ACT Government detail to the Assembly before the debate on the Appropriation Bill 2013-2014 the arrangements for the successor for the Cultural Council.**

### Government Response

Agreed.

Independent issue-specific arts policy discussion groups will be formed to provide advice as required by the Minister for the Arts. The discussion groups will consist of a small number of focussed experts relating to each specific issue. Specialist staff across the ACT Government, National Cultural Institutions, the Australian National University, University of Canberra and the private sector will also be included if required. Interstate experts are also considered, depending on the issue.

This model has been used in the past to formulate advice on film, dance, theatre, working with children and Writing Australia. These discussion groups meet on an as-needed basis, determined by artsACT and the Minister for the Arts.

This information is available on the artsACT website.

### **RECOMMENDATION 146**

**The Committee recommends that post-Loxton Review and the Centenary year that the ACT Government develop a vision, a strategy to deliver the vision and an action plan for the Arts in the ACT for the next 25 years, to be tabled in the ACT Legislative Assembly by the last sitting day in February 2014.**

### Government Response

Noted.

Minister for the Arts released the ACT Arts Policy Framework on 19 July 2012. The Framework reflects the ACT Government's continuing commitment to support and strengthen the ACT arts sector and through it the wider community. It identifies arts priorities and provides a structure within which future arts policy will be developed, while guiding the implementation and review of existing policy and programs. The Framework outlines a vision and four key principles to guide the government support for the arts in the ACT.

The Framework was prepared in consultation with the community and will guide arts policy development in the ACT into the coming years. As part of the ACT Government's ongoing commitment to community participation and engagement, an essential element

of the Framework will be the review and revision of the foundations and principles in 2014 to ensure that it continues to be a relevant and engaged policy.

#### **RECOMMENDATION 147**

**The Committee recommends the ACT Government look to further support its commitment to the arts.**

##### Government Response

Agreed in principle.

The ACT Arts Policy Framework outlines a vision and key principles for ACT Government support for the arts. Any further investment will be made according to the priorities identified in the policy.

#### **RECOMMENDATION 148**

**The Committee recommends that the ACT Government benchmark Arts ACT against the arts sectors across Australia.**

##### Government Response

Noted.

The ACT Government will investigate the feasibility of undertaking such an exercise.

#### **RECOMMENDATION 149**

**The Committee recommends that the ACT Government investigate linking wage levels in the arts sector with those of the community sector.**

##### Government Response

Noted.

Wage levels in the community sector are established through the Social, Community, Home Care and Disability Services Award 2010 (including provision for the equal remuneration case) or through enterprise agreements. There are a number of disparate awards that apply to the arts sector, including the Arts Administration Award, the Broadcasting & Recorded Entertainment Industry Award and the Live Performance Award. Linking wage levels in the Arts sector with those of the community sector would require separate wage cases to be brought before the Fair Work Commission by the unions that are party to the specific awards.

#### **RECOMMENDATION 150**

**The Committee recommends the investigation of peer assessment on arts projects and funding which is linked to these projects.**

##### Government Response

Noted.

artsACT has used peer assessment for the ACT Arts Fund (KAO, Program, project and other categories) for more than 20 years. The ACT Government has a commitment to continuing this peer review process.

## **RECOMMENDATION 151**

**The Committee recommends the investigation of an initiative to link the private sector with the ACT arts sector.**

### Government Response

Noted.

The ACT Government supports Creative Partnerships Australia which is a national philanthropy, social investment and business partnership organisation responsible for bringing artists, cultural organisations, donors and private sector supporters together. This organisation brings together two previous initiatives the Australian Business and the Arts Foundation and Arts Support Australia. Through a special initiative of the ACT Arts Fund, support is provided to cover approximately 50% of the salary for a Canberra based officer of Creative Partnerships Australia with the balance covered by the national office. The Canberra Business Council provides pro-bono office accommodation, reception and valuable networks and contacts to further support this important initiative.

The ACT Government is supportive of the aims of Creative Australia, the National Cultural Policy with regard to encouraging a culture of giving, partnership and investment, mentorship and entrepreneurship in the arts.



**Government Response  
to Volume 3: Dissenting Report of the  
Select Committee on Estimates 2013-14  
on the  
*Appropriation Bill 2013-2014 and  
Appropriation (Office of the Legislative  
Assembly) Bill 2013-14***

**by Dr Chris Bourke MLA and  
Mr Mick Gentleman MLA**

**Andrew Barr MLA  
Treasurer  
August 2013**

The Government notes that Dr Chris Bourke and Mr Mick Gentleman have provided a Dissenting Report containing 575 recommendations, in addition to the Estimate Committee's report, provided by the Chair of the Committee, which contains 151 recommendations.

The Government recognises that Committee Members have the right to provide an additional and/or dissenting report if they so choose. In this particular instance, the Government notes that the need for the Dissenting Report has been driven by the partisan and uncooperative chairing of the committee, and observes Dr Bourke's and Mr Gentleman's concerns regarding the Chair's conduct of the committee and failure to observe parliamentary procedural arrangements. Matters of bullying raised by Dr Bourke and Mr Gentleman are disturbing.

The Government welcomes Dr Bourke's and Mr Gentleman's observations regarding the transformational vision of the 2013-14 Budget and the strength of the ACT economy. Dr Bourke and Mr Gentleman noted the efforts of the Government in maintaining the Territory's AAA credit rating as assessed by Standard & Poor's. Dr Bourke's and Mr Gentleman's comments regarding continuing reform of the taxation system and the delivery of key reforms in health, education and programs which support the ACT's most vulnerable are acknowledged.

Further, Dr Bourke and Mr Gentleman have analysed the views of a broad range of organisations which have provided feedback to the Committee regarding the content of the 2013-14 Budget. Dr Bourke and Mr Gentleman highlight the Property Council of Australia's strong support for the Budget's expansion of the Home Buyer Concession Scheme, taxation reform and reduction in conveyance duty.

From an education perspective, the Canberra Preschool Society welcomed additional Budget funding provided to the sector. Diversity ACT also appreciated the additional funding provided (both capital investment and recurrent) to support its services and activities.

Women with Disability ACT has indicated its strong support of a wide number of Budget-funded Government initiatives which will support the Territory's disabled population and their inclusion in the community, particularly in terms of mobility and education assistance.

While this is only a small snapshot of services and investment delivered through the 2013-14 Budget, like Dr Bourke and Mr Gentleman, the Government considers that these independent assessments validate the Government's efforts to ensure service delivery is maintained in a responsive and responsible manner.

More broadly, Dr Bourke and Mr Gentleman acknowledge the Government's continued focus on the prudent financial management of the Territory, ensuring the Budget provides the basics needed to deliver good government to the people of the ACT.

Dr Bourke and Mr Gentleman clearly recognise that this Budget has been designed to build and transform Canberra for a prosperous and sustainable second century. The reforms and funding outlined in this Budget demonstrate the Government's commitment to implementing its plan to build and transform our economy and create a smarter, fairer and safer Territory.