

2021

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

**Government Response to Standing Committee Reports on Appropriation Bill 2021-2022 and
Appropriation (Office of the Legislative Assembly) Bill 2021-2022**

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INTRODUCTION

Following the conduct of the ACT Legislative Assembly Standing Committee's Inquiry into the *Appropriation Bill 2021-2022* and *Appropriation (Office of the Legislative Assembly) Bill 2021-2022* over 15 to 29 October 2021, the various Standing Committees have now released their reports. The Government's consolidated response to these Committees' recommendations is included below.

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

The Public Accounts Committee also engaged the services of the Centre for International Economics (CIE) in undertaking an independent and detailed study of the Territory's Budget. The CIE Report addressed a wide range of issues relating to technical components of the Budget, and included detailed discussion on International Students and the impact of JobKeeper and COVID-19 Disaster payments in the ACT context. On 10 November 2021, the Government provided a response to the Chair of the Public Accounts Committee addressing the matters raised in that Report.

The Government thanks the Committees for their reports, which have made 196 recommendations on budget matters on a wide range of issues across all government portfolios. In our response, the Government has:

- agreed to 51 recommendations;
- agreed in principle to 62 recommendations;
- agreed in part to 6 recommendations;
- noted 74 recommendations; and
- not agreed to 3 recommendations.

The Government remains committed to being open and transparent in its budget reporting, ensuring that our practices strengthen the integrity and accountability of the management of the Territory's public finances. The Government's response to each of the individual recommendations of the Committees is detailed in the following pages.

RESPONSES TO RECOMMENDATIONS

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RESPONSES TO RECOMMENDATIONS

Standing Committee on Justice and Community Safety – November 2021

The Standing Committee on Justice and Community Safety released *Report 2 – Appropriation Bill 2021-2022 and Appropriation (Office of the Legislative Assembly) Bill 2021-22* on 12 November 2021. The responses below address the recommendations of this report.

RECOMMENDATION 1

The Committee recommends that ACT Government report to the Assembly on the progress of the evaluation of the Justice Reinvestment Strategy being conducted by the ANU Centre for Social Research and Methods, and the times frames for completion.

Government response

Noted.

The *Reducing Recidivism in the ACT by 25% by 2025 Plan 2020 to 2023* (RR25by25 Plan) expands on the justice reinvestment approach of the Building Communities Not Prisons program. The Reducing Recidivism Research Collaboration with the ANU's Centre for Social Research and Methods (Collaboration) is expected to be completed in 2024. Under that Collaboration an Evaluation Framework is being developed which will include overarching recidivism measures and individual program evaluations. We expect the Evaluation Framework to be settled in the first half of 2022.

Individual program evaluations will be delivered at different times across the term of the RR25by25Plan. It is intended that the individual program evaluations inform future planning and budget processes.

RECOMMENDATION 2

The Committee recommends that ACT Government collect data on recidivism rates for Aboriginal and Torres Strait Islander people in the justice system.

Government response

Agreed.

The Government currently produces data on Aboriginal and Torres Strait Islander recidivism rates using available sentencing information for both detainees and offenders and under measures defined by Report on Government Services (RoGS) counting rules. Rates for Aboriginal and Torres Strait Islander recidivism will be published as part of the RoGS 20-21 for the first time. Historical information on Aboriginal and Torres Strait Islander recidivism rates are also available from 2011-12.

RECOMMENDATION 3

The Committee recommends that ACT Government appoint a dedicated ACT Coroner.

Government response

Agreed.

As part of the Parliamentary and Governing Agreement for the 10th assembly, the Government committed to exploring the establishment of a dedicated full time Coroner's Court over the current term of government.

On 27 September 2021, the Government announced a \$3.8 million investment in the 2021-22 ACT Budget to strengthen the delivery of justice to the community, which included \$3.2 million over four years for a dedicated Coroner and support staff.

On 12 November 2021, the Attorney-General invited expressions of interest to fill two Magistrate appointments in the ACT Magistrate's Court, including the appointment of the ACT's first dedicated Coroner. It is expected that a dedicated Coroner will be appointed in early 2022.

RECOMMENDATION 4

The Committee recommends that ACT Government establish a legislative framework for supported decision making as part of the Disability Justice Strategy.

Government response

Agreed.

The Government is working with stakeholders to explore opportunities to reform decision making laws in the ACT to provide greater options for supported decision making by people with disability in accordance with Action 4.8 of the *Disability Justice Strategy*.

RECOMMENDATION 5

The Committee recommends that ACT Government apply a multicultural lens over its court and justice system to ensure evidence from people from multicultural or cultural and linguistically diverse communities is received in the way it is intended; in the same way that a cultural lens has been applied to assist access to justice for Aboriginal and Torres Strait Islander people.

Government response

Agreed in principle.

The ACT Courts and Tribunal (ACTCT) works to ensure a multicultural lens over its systems.

In 2020, the ACTCT developed an interpreters' protocol for the judiciary and Tribunal Members that is publicly available. The ACTCT has developed a factsheet to complement a new video explaining key information for people 'coming to court'. The factsheet and video explain the essential things people might need to know when 'coming to court' like opening hours, security screening, facilities and court etiquette. The video is easy to understand and the factsheet was translated into 20 languages.

Video scripts on ACAT conferences and hearings have recently been translated into 20 languages assisting access to justice for people from non-English speaking backgrounds by explaining the conference and hearing process in their language. This information is available on the ACAT website.

In addition, the Translating and Interpreting Service (TIS) offers in-person and telephone translation across a wide range of languages. Community Legal Centres, Women's Refuges, and ACT Courts and Tribunals are able to use TIS services, charged to the Government.

In 2020-21, this service supported over 700 appointments across 60 languages.

RECOMMENDATION 6

The Committee recommends that ACT Government take steps to ensure gambling harm does not increase in poker machine venues during the months following the easing of COVID-19 public health restrictions, through:

- **engagement with the Community Club Ministerial Advisory Council, and**
- **increased oversight of compliance with harm minimisation measures in the ACT Gambling and Racing Code of Practice.**

Government response

Noted.

The Government applies a risk-based approach to engagement, education and enforcement in accordance with its Accountability Commitment framework. Access Canberra is engaging with many industries following the easing of COVID-19 restrictions to ensure proactive compliance with all appropriate legislation. This will build on the work specifically undertaken in the gaming industry as part of Access Canberra's proactive Club compliance program.

RECOMMENDATION 7

The Committee recommends that ACT Gambling and Racing Commission increase compliance and integrity checks on Casino Canberra and ACT clubs, to ensure that money laundering does not become established in the local industry.

Government response

Noted.

Access Canberra and the ACT Gambling and Racing Commission are acutely aware of concerns and risks around money laundering. Access Canberra undertakes a proportionate risk-based compliance program in relation to the Casino that considers elements such as integrity of systems and processes to ensure compliance with the *Casino Control Act 2006*.

RECOMMENDATION 8

The Committee recommends that ACT Government divest from shareholdings in gambling entities, and companies that derive revenue from gaming.

Government response

Agreed in principle.

The Government has recently updated its *Responsible Investment Policy* and all companies deriving greater than 10 per cent of revenue from ownership or operation of gambling facilities, other betting establishments, lottery operations, and online and mobile gambling will be excluded from the investible shares indexes and not available for investment.

RECOMMENDATION 9

The Committee recommends that ACT Government:

- **establish a firm timetable for construction of the Reintegration Centre at Alexander Maconochie Centre, and**
- **while development of the Reintegration Centre is on hold, commit not to divert the funds dedicated for this purpose to repairs and maintenance at Alexander Maconochie Centre.**

Government response

Noted.

Further work on the proposed Reintegration Centre has been paused in response to changing circumstances and accommodation priorities at the Alexander Maconochie Centre (AMC). The deferral of this project will enable urgent repairs and upgrades to existing critical infrastructure at the AMC to be undertaken, including repairs to accommodation units as a result of the storms in January 2020 and incidents which occurred in November 2020 and May 2021.

The deferral will also be used to focus on reintegration and rehabilitation programs to continue the support for detainees to transition back to the community. Significantly, ACT Corrective Services will seek to optimise the use of the Transitional Release Centre in this context.

Funding for the Reintegration Centre has been deferred until future years and a timetable for its construction is not feasible until the other repair works and assessments have been completed.

RECOMMENDATION 10

The Committee recommends that ACT Government:

- **commence using the Transitional Release Centre at Alexander Maconochie Centre as a matter of priority to improve reintegration outcomes for detainees,**
- **review the eligibility criteria for the Transition Release Program to increase the number of detainees progressing through the program, and**
- **provide female detainees the same level of access to the Transitional Release Centre as male detainees.**

Government response

Agreed in principle.

While the Transitional Release Centre (TRC) is not currently operational due to COVID-19 restrictions, work is underway to optimise its usage going forward. Assessments are currently in progress for eligibility of detainees to access the TRC and, once possible, it will be used for eligible detainees.

The Transitional Release Program (TRP) Policy is currently being reviewed, including the eligibility criteria, to better understand any issues and barriers detainees are facing in qualifying for the program.

As per recommendation 35 of the Healthy Prison Review, the TRP Policy focuses on the program itself rather than the accommodation (i.e. TRC). Female detainees are able to access the program.

RECOMMENDATION 11

The Committee recommends that ACT Government develop a remand unit at Alexander Maconochie Centre separate to sentenced detainee accommodation to comply with the Corrections Management Act 2007, and the Human Rights Act 2004.

Government response

Noted.

From commencement, remand and sentenced detainees have been managed in a mixed custodial setting within the Alexander Maconochie Centre (AMC).

There are challenges in separation of remanded and sentenced detainees due to the high numbers of remand detainees, along with the complexities of managing a range of detainee cohorts in one facility.

While the design and cohorts within the AMC do not allow for complete separation to occur, ACT Corrective Services continues to separate detainees where necessary based on risk.

RECOMMENDATION 12

The Committee recommends that ACT Government continue to focus on increasing the number of female custodial officers at Alexander Maconochie Centre.

Government response

Agreed.

The Government continues with efforts to attract women to the ACT Corrective Services (ACTCS) workforce. Strategies used as part of the marketing campaigns during the correctional officer recruitment drives highlight opportunities for women to join ACTCS.

RECOMMENDATION 13

The Committee recommends that ACT Government:

- **provide opportunity for diagnostic assessment of Fetal Alcohol Spectrum Disorder (FASD) among detainees in Alexander Maconochie Centre (AMC),**
- **identify appropriate interventions to support detainees living with FASD while in custody, and**
- **review ACTCS policies and procedures to ensure AMC operations are informed by the fact that a substantial proportion of detainees experience challenges with memory, attention, communication, emotional regulation, and social skills.**

Government response

Agreed in principle.

The Government acknowledges that screening for cognitive, psychological and functional impairment needs to be considered and integrated across ACT Corrective Services (ACTCS) services. The *ACTCS Disability Action and Inclusion Plan* was published in 2020 and implementation includes consideration of screening for disability and additional needs on entry to the Alexander Maconochie Centre.

The AMC Disability Liaison Officer is also working with officers and other staff at AMC to support them to respond appropriately to detainees with additional needs.

RECOMMENDATION 14

The Committee recommends that ACT Government provide an update to the Assembly on the status of proposals for a needle and syringe program at Alexander Maconochie Centre.

Government response

Noted.

An update on the status of proposals for a needle and syringe program has been most recently provided by the Justice and Community Safety Directorate in its response to a Question Taken on Notice during the 2021-22 Budget Estimates hearings.

RECOMMENDATION 15

The Committee recommends that the Minister for Policing and Emergency Services make a statement in the Assembly outlining the progress of recruitment of the 69 new policing positions announced in 2020, and the roles to which they will be allocated.

Government response

Noted.

The Minister for Police and Emergency Services will provide an update in the Chamber on the Police Services Model.

RECOMMENDATION 16

The Committee recommends that ACT Government adequately resource ACT Policing during this term of the Assembly.

Government response

Agreed.

The Government will continue to maintain the adequate resourcing of ACT Policing to respond to a continuously changing operating environment.

RECOMMENDATION 17

The Committee recommends that ACT Policing publicly report on the total number of police callouts, in addition to the subset of incidents that reach the threshold for an infringement or offence.

Government response

Noted.

ACT Policing currently reports on the number of Priority 1 and Priority 2 callouts, as well as comprehensive offence data, in its Annual Report, which is tabled in the ACT Legislative Assembly.

RECOMMENDATION 18

The Committee recommends that ACT Government provide an update to the Assembly on progress of implementation of the ACT Policing accommodation plan, in particular the arrangements for Molonglo.

Government response

Agreed.

ACT Policing and the Government are developing a Strategic Accommodation Plan (the Plan) that will consider future policing needs into the future, including in Molonglo.

RECOMMENDATION 19

The Committee recommends the Police, Ambulance and Clinician Early Response (PACER) model be evaluated, and expanded if the early reports of beneficial outcomes are proven.

Government response

Agreed in principle.

ACT Health is the lead agency for this initiative, with support from ACT Ambulance Service and ACT Policing. The PACER team comprises 29 highly trained first responders across the three agencies to call on for its daily 2:00pm to midnight shifts, seven days a week.

The Government has announced \$14.1 million to continue funding for PACER's operation for the next four years.

RECOMMENDATION 20

The Committee recommends that ACT Government explore the feasibility of road resurfacing and CCTV surveillance to reduce incidents of dangerous driving at the intersection of Uriarra Road and Mountain Creek Road.

Government response

Agreed.

The Government has trialled the use of course-grit resurfacing and solar powered CCTV to prevent/deter dangerous driving and other crimes in the rural areas of the ACT. The outcomes of these trials will help inform the Government on ways to target dangerous driving at the intersection of Uriarra and Mountain Creek Road.

RECOMMENDATION 21

The Committee recommends that ACT Policing and Transport Canberra and City Services continue to work collaboratively to find long-term solutions to dangerous driving on ACT roads.

Government response

Agreed.

A key goal of the *ACT Road Strategy 2020-25* is strengthening collaboration across Government and with stakeholders to improve road safety in the ACT.

Transport Canberra and City Services Directorate will continue to work with a range of agencies, particularly ACT Policing, on the collective goal of achieving Vision Zero within the ACT.

RECOMMENDATION 22

The Committee recommends that ACT Government publish a breakdown of funding for the Gungahlin Joint Emergency Services Centre, outlining how the appropriated money is to be spent, to provide greater certainty to the community, and to the services sharing the facility.

Government response

Agreed.

The 2021-22 Budget includes capital funding of \$8.3 million over four years for:

- relocating and fitting out new leased premises for the State Emergency Service (SES) and Rural Fire Service (RFS) (\$5.4 million);
- minor refurbishment of the additional space for ACT Policing at the Gungahlin site (\$2.5 million); and

- preliminary design for new premises for the ACT Ambulance Service (ACTAS) and ACT Fire and Rescue (ACTF&R) in the Gungahlin region (\$0.4 million) in 2022-23.

The Government will also provide recurrent funding of \$1.5 million over three years from 2022-23 to provide lease payments for a combined new SES and RFS facility.

The 2021-22 Budget also provides \$1.7 million over two years for the development of a master implementation plan for critical infrastructure across the ACT for our police and emergency services, including in the Gungahlin region.

RECOMMENDATION 23

The Committee recommends that ACT Government publish a breakdown of how the Fire and Emergency Services Levy is divided between each of the services.

Government response

Agreed in principle.

While revenue from the Fire and Emergency Services Levy and other emergency services charges (the Road Rescue Fee and the Ambulance Levy) is equivalent to approximately 75 to 80 per cent of the total cost of delivering emergency services to the Canberra community, it is not hypothecated to the Emergency Services Agency (ESA). Details on general expenditure for ESA are available in the Justice and Community Safety Directorate Annual Reports.

RECOMMENDATION 24

The Committee recommends that ACT Government assess the future bush fire threats to the border areas of the ACT.

Government response

Agreed.

Recent Ministerial Statements, delivered by the Minister for Police and Emergency Services, Mick Gentleman MLA, on 'ACT Emergency Services Agency Cross Border Arrangements in Response to Natural Hazards' and 'ACT High-risk Weather Season Preparedness and Seasonal Outlook' detail the ongoing work to enhance emergency coordination across the ACT/NSW border, including the assessment of future bushfire threats.

RECOMMENDATION 25

The Committee recommends that ACT Emergency Services Agency continue to explore and implement best practice in triage and dispatch systems.

Government response

Agreed.

As already indicated in the Committee's Report, part of the \$15.2 million allocation to the ACT Ambulance Service over the next four years will be directed to improving the emergency triple 000 triage and dispatch processes.

RECOMMENDATION 26

The Committee recommends that ACT Government explore the feasibility of presumptive legislation to accept and treat a mental health injury for police and emergency services workers without requiring an element of proof of injury in the workplace.

Government response

Agreed in principle.

In relation to workers' compensation coverage, ACT emergency services workers fall within the ACTPS and are covered by Commonwealth workers' compensation legislation - the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act).

As such, legislative changes to workers' compensation presumptive cover would fall within the Commonwealth's jurisdiction. The ACT Government is participating in Commonwealth-led discussions exploring presumptive workers' compensation legislative changes for first responders for mental health claims.

ACT AFP officers are not covered under the ACTPS' workers' compensation arrangements as they are federal employees for the purposes of workers' compensation coverage but would be captured by any broader changes made by the Commonwealth to the SRC Act.

RECOMMENDATION 27

The Committee recommends that ACT Government provide an update to the Assembly on the use of the Safer Families Levy; detailing the programs and services that lost funding; and confirming which of these programs and services have now received complete replacement funding from alternative sources.

Government response

Agreed in principle.

The Annual Safer Families Ministerial Statement provides an important opportunity for the Government to communicate Safer Families Package achievements and demonstrate accountability in relation to the Safer Families Levy. This annual statement to the Assembly covers key achievements and priorities in the use of the Safer Families Levy.

Note Appendix H of the Budget Outlook provides a detailed statement on the Safer Families Levy.

RECOMMENDATION 28

The Committee recommends that ACT Government explore the feasibility of enabling low-level drink driving offences to proceed by way of traffic infringement notice.

Government response

Agreed in principle.

The *ACT Road Safety Action Plan 2020-23* includes a commitment to reviewing and assessing the effectiveness of the Territory's drink and drug driving scheme against best practice models. This will include consultation with experts and the community on the effectiveness of the scheme and potential reforms. One component of this work is exploring the use of infringement notices for certain drink driving offences in the ACT, consistent with other jurisdictions such as NSW.

RECOMMENDATION 29

The Committee recommends that ACT Government work with the Director of Public Prosecutions and ACT Policing to determine why there has been a reduction in the proportion of sexual assault allegations progressing to prosecution, and identify any legislative or resourcing issues that may need to be addressed.

Government response

Agreed in principle.

ACT Policing acknowledges the importance of the collaborative relationship with the Director of Public Prosecutions to progress this recommendation.

RECOMMENDATION 30

The Committee recommends that ACT Policing review the systems in place to respond to people who disclose sexual assault allegations, and identify if additional support would assist more victim/survivors to make formal statements.

Government response

Agreed in principle.

ACT Policing takes a victim-centric approach to sexual assault investigations and has developed processes that align with its legislated obligations to victims under the Victims of Crime Act.

ACT Policing has also appointed an additional Detective Inspector to ACT Policing Criminal Investigations with specific leadership and coordination of sexual assault and child abuse matters across ACT Policing.

RECOMMENDATION 31

The Committee recommends that ACT Government provide community legal centres with greater degree of funding longevity and security by:

- **increasing core funding for community legal centres,**
- **making core funding recurrent,**
- **extending the timeframe of temporary funding agreements beyond 12 months, and**
- **providing early notification of funding decisions.**

Government response

Noted.

The Government acknowledges and values the important role of community legal centres in assisting vulnerable Canberrans to respond to their legal needs.

The Government will work with the legal assistance sector, including community legal centres, throughout 2021-22 to develop a *Legal Assistance Strategy and Action Plan* which will inform the Government's decision-making regarding funding to support community legal centres to respond to the current and future legal needs of Canberrans.

RECOMMENDATION 32

The Committee recommends that ACT Government collaborate with Legal Aid ACT and community legal centres to assess the need for free and low-cost legal services in the ACT, and align base level funding decisions with this information.

Government response

Noted.

The Government is working with the legal assistance sector to develop the ACT's *Legal Assistance Strategy and Action Plan* which will include an assessment of the legal needs of vulnerable Canberrans.

Baseline funding decisions for community legal centres are a matter for consideration by Government in future budget processes.

RECOMMENDATION 33

The Committee recommends that JACS Directorate review the funding allocation processes for community legal services, with a view to streamlining and minimising administrative burden on recipients.

Government response

Agreed.

Since the *National Legal Assistance Partnership 2020-25* (NLAP) commenced, the Government has been, where possible and appropriate, streamlining new funding agreements for community legal centres to align with their NLAP reporting requirements. This will facilitate a streamlined and consistent approach to reporting.

RECOMMENDATION 34

The Committee recommends that legal assistance funding incorporate a co-design process with community legal centres.

Government response

Agreed in principle.

The Government is currently participating in a co-design process with the community legal assistance sector to develop the *Legal Assistance Strategy and Action Plan* which has provided a strong foundation for incorporating co-design processes into future work by the sector to address unmet and emerging legal need where it is appropriate to do so.

RECOMMENDATION 35

The Committee recommends that that ACT Government review the indexation applied to legal services funding, to align more closely to the external cost pressures faced by community legal centres.

Government response

Agreed in principle.

The Government will continue to monitor community legal centre funding arrangements and agreed indexation rates will be determined in the context of prevailing circumstances, including Consumer Price Index (CPI) and Wage Price Index (WPI) assumptions and other relevant factors.

RECOMMENDATION 36

The Committee recommends that ACT Government:

- **assist Legal Aid ACT in negotiating with the Commonwealth Government for additional resources for migration and refugee legal services for recent arrivals from Afghanistan, and**
- **in the meantime, provide additional funding to cover the internal redirection of resources within Legal Aid ACT.**

Government response

Agreed in principle.

The Government is working to secure additional resourcing from the Commonwealth Government for migration and refugee legal services for recent arrivals from Afghanistan, noting this demand flows from decisions of the Commonwealth Government.

RECOMMENDATION 37

ACT Government increase funding to Legal Aid ACT to provide legal advice and assistance to people experiencing elder abuse.

Noted.

Legal Aid ACT is funded to provide the Older Person's ACT Legal Service (OPALS) and that this service provides legal advice and assistance to people experiencing elder abuse.

RECOMMENDATION 38

The Committee recommends that ACT Government develop a campaign to raise community awareness of elder abuse.

Government response

Agreed.

The Government has a number of campaigns and policies to raise community awareness of elder abuse. The Age-Friendly City Plan (AFCP) includes a strong focus on older people being able to live safe, secure and free from abuse through a range of actions to address the abuse of older people. The Government provides support for World Elder Abuse Awareness Day activities every year in June to increase awareness of elder abuse and supports available in the community. The Government provides grant funding annually through the ACT Seniors Grants Program for community organisations to conduct innovative projects in priority areas which include addressing elder abuse and promoting supported decision making for older people.

The Government also currently provides support to the Elder Abuse Network, a cross-sector network of organisations and government agencies providing support, services, policies and advocacy for older people experiencing abuse.

RECOMMENDATION 39

The Committee recommends that ACT Government investigate secure funding sources for Legal Aid ACT and community legal centres in response to the predicted decline of the statutory interest account.

Government response

Noted.

The Government will continue to monitor the balance of the statutory interest account and will consider the funding needs of the legal assistance sector in future budget process processes.

RECOMMENDATION 40

The Committee recommends that ACT Government investigate a legislative amendment to the *Human Rights Act 2004* to provide an ACAT remedy where a breach is found.

Government response

Noted.

The Government will continue to consider opportunities for further enhancements to the Human Rights Act to ensure that it provides appropriate protection for rights in our ACT community.

RECOMMENDATION 41

The Committee recommends that ACT Government:

- a) investigate the reasons for the recent increase in notifications of involuntary mental health orders, and**

b) ensure the Public Advocate is adequately resourced to perform her functions under the *Mental Health Act 2015*.

Government response

Agreed in part.

There has been a gradual increase in use of involuntary mental health orders made under the Act since its commencement in March 2016. There has not been a recent significant change in this trend.

The reasons for the use of compulsory involuntary treatment are multifaceted ('compulsions'). There is no obvious reason in recent years that explains the gradual increase in use of compulsion.

The Government will continue to work with the Public Advocate to monitor demand and resourcing requirements for the performance of her functions including functions under the *Mental Health Act 2015* as part of the usual budget process.

RECOMMENDATION 42

The Committee recommends that ACT Government fund an additional 1 FTE position within the Office of the Inspector of Correctional Services to support oversight of Bimberi Youth Justice Centre.

Government response

Noted.

The Government will consider any additional resourcing as part of usual budget processes.

RECOMMENDATION 43

The Minister for Corrections respond to the Committee's letter dated 12 May 2021, requesting an update on the status of implementation of recommendations about Alexander Maconochie Centre.

Government response

Noted.

The Minister for Corrections provided a statement in the ACT Legislative Assembly on 9 November 2021 outlining the significant progress made in implementing a number of outstanding recommendations arising from previous reviews by oversight agencies and summarising key activities over the past year.

RECOMMENDATION 44

The Committee recommends that ACT Government review the processes for tracking and verifying implementation of recommendations about Alexander Maconochie Centre, and provide an update to the Assembly on the outcomes of the review.

Government response

Agreed.

The Minister for Corrections provided a statement in the Legislative Assembly on 9 November 2021 outlining the significant progress made in implementing a number of outstanding recommendations arising from previous reviews by oversight agencies and summarising key activities over the past year.

RECOMMENDATION 45

The Committee recommends that the Public Trustee and Guardian:

- **provide further evidence to the Committee explaining why: they could provide only limited information about oversight of private financial managers during the hearing; the figures later provided on notice do not reconcile, and do not match the evidence given during the hearing; they currently do not aggregate the total value of assets subject to examination; and no discrepancies were found on examinations in the past 12 months; and**
- **explain how they are satisfactorily protecting vulnerable Canberrans who are under financial management.**

Government response

Noted.

The Public Trustee and Guardian (PTG) endeavoured to answer the Committee's question at the hearing and subsequently provided more detail on notice.

As previously advised, the PTG does not 'aggregate the total value of assets subject to examination'.

Under the *Guardianship and Management of Property Act 1991* (the Act):

- Managers are appointed by the ACT Civil and Administrative Tribunal (ACTAT) (section 8).
- Only suitable people may be appointed as Managers (sections 9 and 10).
- The appointment of Managers is reviewed by ACAT from time to time and at least once every three years (section 19).
- Managers are obliged to file accounts and other documents annually (section 26).
- PTG must examine those accounts and may apply to ACAT for disallowance of any item in the accounts (section 27).

The examinations conducted by the PTG are undertaken on an individual rather aggregated basis. They are focused on ensuring that the represented person's financial affairs are maintained separately from those of the Manager, that the financial statements do not indicate any inappropriate activity by the Manager, and that any dealings with the person's real estate are made with PTG's consent. The PTG has well established review processes.

When undertaking its examination process, PTG routinely raises issues for explanation with private managers. However, any issues are generally addressed by agreement, meaning that the incidence of item disallowance or removal of a manager is extremely low.

RECOMMENDATION 46

The Committee recommends that ACT Government review the legislative framework protecting people from financial abuse by managers appointed under the *Guardianship and Management of Property Act 1991*.

Government response

Not agreed.

The Government does not propose to review the framework in the *Guardianship and Management of Property Act 1991* relating to Managers, which contains important protections for Canberrans with impaired decision-making ability. While the protections in the Act are important, they are not the only protections of relevance.

For example, in 2020 the:

- *Crimes (Offences Against Vulnerable People) Legislation Amendment Act 2020* created three new offences relating to the abuse or neglect of a vulnerable person by an individual caring for that vulnerable person – including where financial harm results; and
- Human Rights Commission was given jurisdiction to deal with complaints about the treatment of a vulnerable person (including an adult with a disability) where the vulnerable person is at risk of abuse, neglect or exploitation.

Standing Committee on Public Accounts – November 2021

The Standing Committee on Public Accounts released *Report 2 - Appropriation Bill 2021-2022* and *Appropriation (Office of the Legislative Assembly) Bill 2021-22* on 11 November 2021. The responses below address the recommendations of this report.

RECOMMENDATION 10

The Committee recommends, in evaluating the stimulatory effect of Government spending, a gender lens should be applied so as to ensure equity in the use of Government monies.

Government response

Agreed.

The Government is committed to embedding the wellbeing framework in policy design, consideration, and implementation. Business cases in the 2021-22 ACT Budget required an accompanying Wellbeing Impact Assessment (WIA) outlining anticipated impacts of initiatives on the wellbeing of our community, environment, and institutions. The WIA template specifically includes gender as an area for consideration.

In addition to the requirement to complete a WIA, the business case template refers drafters to the Gender Impact Analysis Tool developed by the Community Services Directorate for submissions where more detailed gender analysis is required. The tool was developed following a commitment in the *First Action Plan 2017-19* of the *ACT Women's Plan 2016-26* and assists to apply a gender lens to programs, policies and services.

RECOMMENDATION 11

The Committee recommends the Treasurer appear before the Economy and Gender and Economic Equality Committee to explain the gender impact of the Budget.

Government response

Noted.

The Government is prepared to facilitate discussion between Committees and relevant output class Ministers, in this case the Minister for Women.

RECOMMENDATION 12

The Committee recommends the ACT Government ensures policy decisions are based on sophisticated analysis of community benefits from proposed spending. Such analysis should include consideration of first, second, and third order effects; and ensuring appropriate weighting to diffuse benefits.

Government response

Agreed in principle.

With the incorporation of the wellbeing framework into the Territory's budget process, all business cases must be accompanied by a Wellbeing Impact Assessment, which requires details in relation to which segments of the community are impacted by the proposal (and whether these impacts will be positive or negative, in addition to their magnitude), the timeframe for these impacts, and details of the evidence base and data that has been used to support the business case.

In addition, business cases require a range of information and supporting material to be provided, including tiered economic analysis requirements for capital projects based on the complexity of a project.

RECOMMENDATION 13

The Committee recommends the ACT Government publish the lessons learnt from the first application of the wellbeing indicators and improvements that will be made for the 2022-23 Budget.

Government response

Noted.

Wellbeing Impact Assessments were used for the first time in the 2021-22 Budget process. As this was the first time wellbeing was explicitly considered in the Budget process, we will reflect on the lessons learnt and further opportunities available to embed wellbeing in the context of future Budgets.

RECOMMENDATION 14

The Committee recommends the ACT Government reform the Administrative Arrangements so that they are fit for purpose.

Government response

Not agreed.

The Administrative Arrangements provide a detailed listing of the responsibilities of each Ministerial portfolio and administrative unit. Further detail on the initiatives that relate to these responsibilities are outlined in the Budget papers and annual reports.

RECOMMENDATION 15

The Committee recommends that the ACT Government adopt a consistent approach to yearly forward budget estimates between budgets, particularly in relation to the General Government Sector (GGS) Infrastructure Investment Program.

Government response

Agreed.

The ACT Budget has consistently presented a four-year budget estimate period within Budget Outlook and Agency Budget Statements.

In the 2021-22 Budget, presentation of the Infrastructure Investment Program transitioned to being on a five-year basis. This change was made to:

- provide improved transparency with regard to program delivery forecasts; and
- provide industry greater visibility of the infrastructure pipeline that underpins the Government's long-term infrastructure investment strategy.

Future budgets will continue to present the Infrastructure Investment Program on a five-year basis.

RECOMMENDATION 16

The Committee recommends that, to maximise the effective use of land, the ACT Government should consider the application of economic levers in addition to planning treatments, so as to incentivise its development and use for the benefit of the community.

Government response

Noted.

The Government already applies economic and planning levers to support good outcomes for land use for the Canberra community.

RECOMMENDATION 17

The Committee recommends the ACT Government divest the Superannuation Provision Account from holding in companies associated with gambling and gaming, all weapon, fossil fuels, and nuclear weapon industries.

Government response

Noted.

The Superannuation Provision Account is invested via the Territory Banking Account investment platform. The Territory Banking Account undertakes the external investment activities in the name of the Australian Capital Territory. The Responsible Investment Policy is implemented and managed through the Territory Banking Account investment platform. See also response to Recommendation 11.

RECOMMENDATION 18

The Committee recommends the ACT Government select the most ethical investment settings for their investment proxy framework (ISS policy framework).

Government response

Noted.

The Government's share voting policy is reviewed periodically with consideration given to all elements of the framework.

RECOMMENDATION 10

The Committee recommends that, where it is economical to do so, the Superannuation Provision Account should be enabled by the ACT Government to consider local projects, such as build to rent proposals.

Government response

Noted.

The accumulated investment capital of the Superannuation Provision Account is invested via the Territory Banking Account investment platform for the purpose of growing the financial asset balance to assist in reducing the longer-term cost of the Territory's unfunded defined benefit superannuation liability.

See also responses to Recommendations 8 and 12.

RECOMMENDATION 11

The Committee recommends the ACT Government divest the Territory Banking Account from holding in companies associated with gambling and gaming, all weapon, fossil fuels, and nuclear weapon industries.

Government response

Agreed in part.

The Government has recently updated its Responsible Investment Policy.

Companies that are involved in the following business activities are excluded from the investible shares indexes and not available for investment:

- All companies that manufacture tobacco products, including companies that grow or process raw tobacco leaves;
- All companies deriving greater than 10 per cent of revenue from ownership or operation of gambling facilities, other betting establishments, lottery operations, and online and mobile gambling;
- All companies with any tie to Controversial Weapons (cluster munitions, landmines, depleted uranium weapons, biological/chemical weapons, blinding lasers, non-detectable fragments and incendiary weapons); and

- All companies that own proved oil and gas reserves and proved and probable coal reserves (metallurgical and thermal).

RECOMMENDATION 12

The Committee recommends that, where it is economical to do so, the Territory Banking Account should be enabled by the ACT Government to consider local projects, such as build to rent proposals.

Government response

Noted.

The purpose of the financial investment assets managed by Treasury through the Territory Banking Account investment platform is to derive financial returns, based on prudent financial and portfolio management principles. Under Section 38 of the *Financial Management Act 1996* investment may only be in prescribed investments and may only be made to increase or protect the financial wealth of the Territory.

For the Territory Banking Account investment platform, Treasury does not undertake in house investment activities. External, asset class specific institutional investment managers are appointed to manage relevant financial assets on behalf of the Territory. The investment managers are engaged to make independent, commercial investment decisions.

RECOMMENDATION 13

The Committee recommends the ACT Government review its directly owned shares portfolio in line with its Responsible Investment Policy and Investment Governance Policy Framework to ensure holdings are compliant with the governing policy frameworks.

Government response

Agreed.

There is an ongoing process of monitoring the share investment exposures with the Responsible Investment Policy and Investment Governance Policy frameworks.

RECOMMENDATION 14

The Committee recommends that the ACT Government consult with employees and consumers before putting a proposal to cabinet on the appointment of employee and consumer representatives to the Icon Water Limited Board.

Government response

Noted.

Treasury is developing advice to Government on the implementation of the commitment in the Parliamentary and Governing Agreement to require employee and consumer representation on the board of major ACT Territory-owned corporations or Government businesses.

RECOMMENDATION 15

The Committee recommends that the ICRC consider whether electricity pricing mechanisms value additional services provided by community scale batteries.

Government response

Noted.

In determining regulated retail prices in the ACT, the ICRC includes these nationally determined wholesale energy prices and network costs (as well as other relevant costs) in the overall retail costs of supplying electricity to consumers

Wholesale energy purchase and network costs comprise around 90 per cent of the total costs.

National regulatory pricing mechanisms are being developed and implemented to recognise the value of services provided by community scale batteries. Wholesale energy prices and network costs will reflect the market value of services provided by community scale batteries.

RECOMMENDATION 16

The Committee recommends the ACT Government provide greater clarity within Budget Statement I in relation to its disclosure of when and where appropriation has been altered between major projects.

Government response

Agreed.

Changes to appropriation for projects will continue to be reflected in appropriation tables in agency budget statements.

RECOMMENDATION 17

The Committee recommends the ACT Government provide transparent and clear reporting of all infrastructure project delivery in accordance with previously committed timelines.

Government response

Agreed in principle.

The Government provides regular updates on its infrastructure program through various mechanisms, including through Budget papers, Budgets and regular (six monthly) Capital Works reporting to the Legislative Assembly.

RECOMMENDATION 18

The Committee recommends that the ACT Government state and publish how the Community Service Obligations for public transport patronage in the forward estimates are impacted by Light Rail Stage 2.

Government response

Noted.

New budget initiatives for Transport Canberra Operations (including those that may relate to Light Rail Stage 2) are reflected in the forward estimates of Community Service Obligations as appropriate.

RECOMMENDATION 19

The Committee recommends the ACT Ombudsman provide to the Standing Committee on Public Accounts a copy of the report evaluating the ACT Government's progress against adopted recommendations from ACT Ombudsman's inquiries once completed.

Government response

Noted.

The ACT Ombudsman has provided a response on this recommendation directly to the Standing Committee on Public Accounts.

RECOMMENDATION 20

The Committee recommends the Office of the Legislative Assembly finalise the Legislative Assembly Questions on Notice (QoN) database.

Government response

Noted.

This is a matter for the Office of the Legislative Assembly to consider.

RECOMMENDATION 21

The Committee recommends the Office of the Legislative Assembly consider leadership development to assist in the implementation of reforms in light of the Laing review and assist in relations with staff.

Government response

Noted.

This is a matter for the Office of the Legislative Assembly to consider. The Laing review suggested the Senior Director responsible for the committee team require 'strong leadership to implement the transitional arrangements'.¹

¹Review of the Committee Support Function, page 39
https://www.parliament.act.gov.au/_data/assets/pdf_file/0007/1825810/Review-of-Committee-Support-v2.pdf

Standing Committee on Environment, Climate Change and Biodiversity – November 2021

The Standing Committee on Environment, Climate Change and Biodiversity released *Report 2 – Appropriation Bill 2021-2022 and Appropriation (Office of the Legislative Assembly) Bill 2021-2022* on 11 November 2021. The responses below address the recommendations of this report.

RECOMMENDATION 1

The Committee recommends that the ACT Government continue to provide core funding to maintain and enhance biodiversity.

Government response

Agreed.

RECOMMENDATION 2

The Committee recommends that the ACT Government explore quantifying the injured and the loss of wildlife in the territory.

Government response

Noted.

Quantifying the total loss of wildlife or injured wildlife across the Territory is extremely difficult.

RECOMMENDATION 3

The Committee recommends that the ACT Government ensure continued funding to support Landcare ACT and catchment groups to continue their work.

Government response

Noted.

In the 2020-21 Budget the Government provided multi-year funding to the catchment groups.

RECOMMENDATION 4

The Committee recommends that the ACT Government continue the use of enforceable undertakings as a regulatory tool for environmental protection.

Government response

Agreed.

Enforceable undertakings (EU) are a regulatory option where there has been a serious breach of legislation. EUs are initiated by the party alleged to have contravened a provision of the *Environment Protection Act 1997* (the Act). The party alleged to have contravened the Act must approach the Environment Protection Authority (EPA) seeking to enter into an EU in lieu of other enforcement options available to the EPA such as commencing legal proceedings.

RECOMMENDATION 5

The Committee recommends that the ACT Government undertake initiatives to create greater community awareness about the need to reduce amplified noise, and the impact it has on neighbours.

Government response

Noted.

The Government has developed a communications strategy to support the issue of noise management in the ACT, including amplified noise. The Government's Noise Portal, which sits as part of the Access Canberra website was updated and enhanced in early 2021 to provide easier access to existing resources on this issue. The Noise Portal may be further updated as part of the strategy. Additional resources which the community can self-access and provide to neighbours should there be a concern about noise is also being explored.

Key to the communications strategy, as well as the overall approach to residential noise management, is the ongoing engagement with stakeholders such as the Complaints Resolution Service (CRS), the Real Estate Institute of the ACT, ACT Policing, tenants associations and groups, community service partners and other government agencies to provide and share information and support to those impacted by noise.

RECOMMENDATION 6

The Committee recommends that the ACT Government undertake further action to develop and implement dispute resolution services to address neighbourhood disputes efficiently and effectively.

Government response

Noted.

Access Canberra already works in partnership with the Complaints Resolution Service as a key referral point for our community to help address concerns about noise between neighbours. Access Canberra will further explore opportunities to strengthen the use of alternate dispute resolution services in resolving neighbourhood disputes that have a regulatory element, especially around noise complaints.

RECOMMENDATION 7

The Committee recommends that the ACT Government investigate e-bikes as part of the Sustainable Household Scheme as a priority.

Government response

Agreed in principle.

The current priority of the Sustainable Household Scheme is to broaden the eligible products covered by the scheme to include electric vehicles, and to allow access to loans to not-for-profit organisations. The Government will establish a set of standard operating procedures to investigate the merits of including a range of other products in the Scheme, including e-bikes, electric horticultural machinery, and alternative home heating systems. These procedures will consider factors such as the capital barrier to access the product, the likelihood of the product to reduce emissions, the potential savings generated for the household and the likelihood of the product supporting jobs in the ACT. This will inform future decisions to include products in the Sustainable Household Scheme.

RECOMMENDATION 8

The Committee recommends that the ACT Government continue to consider Canberra's most vulnerable households and the impacts on them of the government's transition to net zero emissions in the ACT.

Government response

Agreed.

The Government remains committed to supporting Canberra's most vulnerable households as we transition to net zero emissions in the ACT.

The 2021-22 Budget includes new funding for a number of initiatives to support vulnerable households. This includes:

- the permanent increase to the annual utilities concession by \$50 to \$750;
- a further one-off \$250 increase for 2021-22, taking the total payment to \$1,000 this financial year (this includes support related to COVID-19 impacts);
- the first tranche of funding for the Vulnerable Household Energy Support Scheme; and
- \$3.1 million for the Solar for Low Income Scheme.

In addition, the Government has a range of existing initiatives to support vulnerable households and will continue to ensure they are supported as part of the transition to net zero emissions in the ACT.

RECOMMENDATION 9

The Committee recommends that the ACT Government further invest in programs that encourage Canberrans to change their behaviour on emissions reduction.

Government response

Agreed.

The 2021-22 Budget includes funding to support climate action related strategic communication activities such as the Everyday Climate Choices website and the online household sustainability webinars.

The budget also includes funding for the Community Zero Emissions Grant program. This program provides \$150,000 in grants each year over four years to support non-profit community organisations to implement a range of community-based, emissions reduction projects including behaviour change.

RECOMMENDATION 10

The Committee recommends that the ACT Government in making policy decision aim to maximise emission reductions in the ACT.

Government response

Agreed in principle.

Reducing greenhouse gas emissions is a high priority for the Government, along with building resilience to climate change impacts and improving broader sustainability outcomes. The *ACT Climate Change Strategy 2019-25* includes a commitment to ensure the social cost of carbon and climate change adaptation outcomes are considered in all Government policies, budget decisions, capital works projects and procurements. Work to embed these considerations into decision-making and processes is underway.

RECOMMENDATION 11

The Committee recommends that the ACT Government undertake further work to explore options for recycling of PV and other similar systems, as they reach the end of their useful life; as well as for other new technologies as they emerge.

Government response

Noted.

In collaboration with the Commonwealth Government and other jurisdictions, the Government is currently exploring options for recycling solar PV panels and inverters, large batteries and general electrical appliances, as they reach their end-of-life. Successful product stewardship models have been established for other problematic waste streams and the Government is actively engaging with the Commonwealth on options for such models in the context of e-waste.

RECOMMENDATION 12

The Committee recommends that the ACT Government consider embedded emissions when making infrastructure decisions.

Government response

Noted.

The Government is committed to delivering the ACT emissions reduction targets set out in the *Climate Change and Greenhouse Gas Reduction Act 2010*. The emissions reduction targets are defined in terms of scope 1 and 2 emissions. The ACT implements the global best practice method of carbon accounting which includes scope 1 and 2 emissions and not scope 3 emissions at this time, to avoid double counting emissions between jurisdictions.

RECOMMENDATION 13

The Committee recommends that the ACT Government investigate operational improvements that can be made to the current Commissioner legislation.

Government response

Noted.

The Government will consider the roles and functions of the Commissioner and determine if legislative change will assist in the delivery of services provided by the Commissioner.

RECOMMENDATION 14

The Committee recommends that the ACT Government consider the results of the upcoming report on the state of the lakes and waterways in the ACT, and viability of a wetlands in Yarralumla, if appropriate, as part of the ACT Government's Healthy Waterways program.

Government response

Agreed in principle.

As a matter of course, reports by the Commissioner are considered and actioned as appropriate. Decisions on works associated with the healthy waterways program are based on the best available evidence and community input.

RECOMMENDATION 15

The Committee recommends that the ACT Government make publicly available all catchment plans and assessments to undertake Healthy Waterways (or water quality improvement) works for review and comment, including proposed works, before detailed design and construction commitments are made.

Government response

Agreed.

Catchment plans and assessments to undertake further healthy waterway projects will be made publicly available. Analysis and preparation for new healthy waterways projects are undertaken in close consultation with the community.

RECOMMENDATION 16

The Committee recommends that the ACT Government ensure that the water quality data, models, and modelling results for the ACT are publicly available.

Government response

Agreed.

The Healthy waterways program is an exemplar in making data publicly available.

Consistent with the *ACT Digital Strategy* and the *Open Data Strategy 2019-2021*, as a principle, data owned or controlled by Government is open to the public, limited only by what is not permitted to be released under legislation, common law, or principles of public interest.

RECOMMENDATION 17

The Committee recommends that the ACT Government explore opportunities to ensure that the highly successful H2OK program continues to help educate children about the importance of waterways and how to care for them, and to partner with the ACT's catchment groups in the program delivery.

Government response

Agreed.

The H2OK program continues to operate, working in partnership with Catchment Groups.

RECOMMENDATION 18

The Committee recommends that the ACT Government investigate the inclusion of fine scale nutrient inputs, such as pollutant types and percentages washed off roads or through the stormwater system, in its GIS mapping system.

Government response

Noted.

Fine scale nutrient inputs vary significantly over time and location and provide little new information to support management decisions.

RECOMMENDATION 19

The Committee recommends that the ACT Government include nutrient management into and in waterways in all catchment plans and make available of the catchment plans.

Government response

Noted.

The development of Catchment Plans will be based on available information and evidence to guide decisions at the local catchment scale.

RECOMMENDATION 20

The Committee recommends that the ACT Government continue to support community clubs to transition to environmentally sustainable facilities and practices.

Government response

Agreed.

The Government established a four-year \$5 million Building Energy Efficiency Upgrade Fund to be accessed by community clubs. The Program supports eligible clubs to undertake energy efficiency upgrades, building envelope improvements and install rooftop solar and energy storage systems to reduce their energy use and bills. It will also support clubs with their transition away from fossil fuel gas.

RECOMMENDATION 21

The Committee recommends that the ACT Government ensure commercial operators of the Molonglo Valley Group Centre are aware of, and have ready access to, technologies which are 100 per cent electric.

Government response

Agreed in part.

The use of electricity rather than gas will be required across the Molonglo group centre. This will be achieved by removing the mandatory requirement for gas to be provided as part of the infrastructure requirements. In this regard, *Technical Amendment 2021-14* was released for public comment on 8 November 2021. One of the changes it proposes is to amend planning requirement 93 in the Molonglo and North Weston Structure Plan to remove the reference to the provision of gas reticulation, consistent with Territory Plan Variation 373. Consultation on TA2021-14 closes on Monday 6 December 2021.

RECOMMENDATION 22

The Committee recommends that the ACT Government explore option to establish an air quality monitoring station in the Murrumbidgee area as an outcome of the ACT air quality strategy.

Government response

Noted.

The *Bushfire Smoke and Air Quality Strategy* has been released and action plans will identify future air quality monitoring stations and other needs.

RECOMMENDATION 23

The committee recommends that the ACT Government develop an indoor air quality standard to assist in protecting the health of Canberrans.

Government response

Noted.

Indoor air quality (IAQ) in Australia can be addressed under three complimentary policy areas, human health, work health and safety and building construction under the National Construction Code (NCC).

RECOMMENDATION 24

The Committee recommends that the ACT Government provide greater clarity on weed funding decisions, trade-offs, and consequential risks.

Government response

Agreed.

This information is available on EPSDD website

<https://www.environment.act.gov.au/parks-conservation/plants-and-animals/biosecurity/invasive-plants>

RECOMMENDATION 25

The Committee recommends that the ACT Government examine how it manages the expiry of the current four-year grants and awarding of future grants, so as to minimise the impact on the services that will be provided.

Government response

Noted.

The Government actively works with grant funding recipients and agreements are managed to mitigate risks to delivery of services provided under those agreements.

RECOMMENDATION 26

The Committee recommends that the ACT Government provide the ACT Legislative Assembly with a regular update on the progress of the Heritage Council database upgrade project.

Government response

Noted.

The development of the heritage database is in the initial design and scoping phase. At the end of this stage the Government will provide an update to the ACT Legislative Assembly.

Standing Committee on Education and Community Inclusion – November 2021

The Standing Committee on Education and Community Inclusion released *Report 2 – Appropriation Bill 2021-2022 and Appropriation (Office of the Legislative Assembly) Bill 2021-22* on 11 November 2021. The responses below address the recommendations of this report.

RECOMMENDATION 1

The Committee recommends the ACT Government ensure timely access to ACT Budget papers for community organisations and include in budget papers analysis of the impacts of tax and concessions policies on low-income people.

Government response

Agreed.

Consistent with current practice, relevant community organisations will continue to be provided advance access to budget documentation, including the Budget Outlook, through media and community briefing sessions ahead of the ACT Budget's public release.

Consistent with section 11 of the *Financial Management Act 1996*, the Budget Outlook includes a Cost of Living statement which details the effects of Territory taxes and fees on households, including analyses of Territory concessions that offset them.

RECOMMENDATION 2

The Committee recommends that the ACT Government ensure that indexation for community sector funding at a minimum matches the indexation of their costs.

Government response

Agreed in principle.

The Government will continue to monitor community sector funding arrangements and agreed indexation rates will be determined in the context of prevailing circumstances, including Consumer Price Index (CPI) and Wage Price Index (WPI) assumptions and other relevant factors.

RECOMMENDATION 3

The Committee recommends that the ACT Government commit to:

- a) increase the number of social housing dwellings in the ACT.**
- b) take measures to support affordable rental housing.**

Government response

Agreed.

- a) Consistent with the commitment in the *Parliamentary and Governing Agreement for the 10th Legislative Assembly*, the Government will aim to deliver a total of 400 additional public housing dwellings.
- b) The 2021-22 Budget also includes funding for the Maintaining and growing affordable housing initiatives *Gungahlin Common Ground Build-to-Rent* and the *Piloting build-to-rent projects with affordable rental projects*.

RECOMMENDATION 4

The Committee recommends that the ACT Government implement early intervention programs to reduce engagement with the criminal justice system.

Government response

Agreed in principle.

The Government funds a number of early intervention services, which are delivered by agencies and the community sector.

RECOMMENDATION 5

The Committee recommends that the ACT Government:

- a) **implement measures to improve access for young disabled people in ACT Government schools.**
- b) **ensure that the disability education review process is accountable and transparent to disability stakeholders.**
- c) **respond to community concern about the use of specialist schools and specialist streaming and the desire to have students with disability fully included in mainstream schools.**

Government response

Agreed.

- a) As part of the *Future of Education Strategy*, the Education Directorate is working with students with disability and their families to create an education system underpinned by inclusion and equity, where a universal sense of belonging is fostered and students with disability are included in ways that suit them.
- b) The Education Directorate will continue to update key stakeholders about the *Disability Education Review* (the Review), including its progress, findings, and outcomes.

The Government acknowledges that there is a range of views about inclusive education. The *Disability Education Review* will hear from both current and previous students of specialist settings and their families to better understand their lived experiences, needs and aspirations to inform any future reforms to inclusive education in the ACT public school system.

The consultation is designed to listen to a range of diverse voices with stakeholders, students and their families, young people, previous students, advocates, and school staff with varying range of experience in inclusive education. The ACT Disability Education Reference Group are a key stakeholder in this process and have been engaged since the commencement of the review. The Reference Group consists of community organisations in the ACT disability sector as well as cross-government representatives.

- c) The Education Directorate offers a range of settings to support students with disability in ways that suit them and their families, including within mainstream settings, specialist settings in mainstream schools, specialist schools and or a combination of these options.

RECOMMENDATION 6

The Committee recommends that the ACT Government ensure the Conflict Resolution Service has an adequate level of funding to enable family mediators to provide a timely response to families on their waiting list.

Government response

Noted.

The Government will provide the Conflict Resolution Service (CRS) \$342,833 in 2021-22 to provide conflict resolution services including family counselling, \$96,059 for Neighbourhood Dispute Program and an additional \$52,858 to continue the family mediation portion of the Safe and Connected Youth Program through to 31 March 2022, while the program goes through an open tender process.

RECOMMENDATION 7

The Committee recommends that the ACT Government increase targeted mental health support for the “missing middle” age group.

Government response

Agreed in principle.

The Office for Mental Health & Wellbeing is working with the Youth Coalition and other partners in the sector to identify appropriate service responses to support children and young people who fall between current services (n.b. the ‘missing middle’ refers to a heterogenous group of people who have acute symptoms too severe to be treated in the primary care sector but do not meet the threshold for tertiary/quaternary services). The Government is finalising a scoping report into youth with complex needs and complex trauma that seeks to understand the needs of these young people and the current therapeutic responses to young people across the existing service system in the ACT.

RECOMMENDATION 8

The Committee recommends that the ACT Government fund the embedded youth worker model whereby youth workers work alongside ACT Police.

Government response

Noted.

An embedded youth worker model is part of a proposed service response to raising the minimum age of criminal responsibility in the ACT. Funding was provided in the 2021-22 Budget to engage a consultant to cost the proposed service reform, which includes an embedded youth outreach response.

RECOMMENDATION 9

The Committee recommends that the ACT Government take measures to remove siloing between education and community services and its impacts on family and adolescent support.

Government response

Agreed.

The Education Directorate continues to foster and develop close relationships with community services to ensure families and adolescents have access to supports where appropriate and required.

RECOMMENDATION 10

The Committee recommends that the ACT Government:

- a) engages with the community sector to provide chrome books and data access to vulnerable families and young people.**
- b) undertake an evaluation of online learning during lockdown, including an assessment of the social and economic impacts on young people and their families.**

Government response

Agreed in principle.

- a) All students attending an ACT public school have access to a Chromebook device. Secondary students are loaned a device, and primary students share a device. During lockdown, each student from Year 4 and above was provided a device for remote learning. Families that did not have access to the internet requested support via their school. During lockdown, the Government provided internet access to an additional 986 families.
- b) The Government will conduct an evaluation of remote learning.

RECOMMENDATION 11

The Committee recommends that the ACT Government:

- a) explore options to enable more direct input and involvement from young people in the decision making of Government.**

- b) consider exploring whether there is an approach to lowering the voting age that will in no way infringe on the principle of compulsory voting.**

Government response

Noted.

The Government recognises the value of engaging young people in the political process and is committed to exploring options that expand voter participation.

RECOMMENDATION 12

The Committee recommends that the ACT Government should invest in civics and democracy engagement for young people, including but not limited to Elections ACT and the Office of the Legislative's Assembly's Education Office.

Government response

Agreed in principle.

The Government is committed to continuing to develop students' understanding of, and ability to participate in, civil society and democratic processes, consistent with the Australian Curriculum and the *Australian Education Act 2013* (Cth). The ongoing and significant work implemented through the *Future of Education Strategy* places strong value on the voices of young people; the development of agency from early childhood; and the importance of community involvement for students and families.

ACT schools provide opportunities for students to participate in real world civics and citizenship activities such as the Student Representative Council, School Parliament, and school and sports team captaincies aligning to the Australian Curriculum Humanities and Social Sciences learning area for years 3 to 10. Students across the ACT have access to a range of enriching opportunities to assume leadership roles, be active citizens and gain understanding of the Australian political process and critical engagement with social issues, including through the Youth Advisory Council (year 6 to 12), Parliament of Youth on Sustainability (kindergarten to year 12), National Youth Parliament (years 10 to 12), ACT Schools' Constitutional Convention (year 11), and ACT Minister's Student Congress (representatives from all ACT Public Schools from year 2, year 6, year 10 and year 12).

RECOMMENDATION 13

The Committee recommends that the ACT Government:

- a) expedite the feasibility study for further college capacity in north Canberra.**
- b) build new northside college facilities in Gungahlin.**

Government response

Noted.

Planning and feasibility work is underway to consider future northside college demand response options, including future northside college needs. This includes monitoring enrolment patterns following the establishment of a new Priority Enrolment Area (PEA) Shared Zone between Gungahlin and Dickson College, as it is anticipated that over time this will provide some capacity relief for Gungahlin College.

RECOMMENDATION 14

The Committee recommends that the ACT Government provide a comprehensive breakdown of the \$99 million funding for school maintenance and infrastructure upgrades.

Government response

Agreed.

The forecast allocation between the streams of work within the \$99 million School Maintenance and Infrastructure Upgrades program is:

Work Stream	Total Value \$'000
School Learning Area Improvements	20,878
School Administration and Support Area Improvements	5,678
Inclusion Works	16,000
School Infrastructure Revitalisation (roofs)	17,661
School Security Improvements and Safety Improvements	10,917
External Learning Environments	12,846
Environmentally Sustainable Development Initiatives (thermal)	15,020
Total	99,000

RECOMMENDATION 15

The Committee recommends that the ACT Government investigate provision of a service like the Muliyon Off Campus Flexible Learning Program for the northside.

Government response

Noted.

The Flexible Education Offsite Learning Program is accessible to young people from across the ACT, including the northside, and transport assistance is available. *The Future of Education Strategy* commits to implement evidence-based transition processes and evaluate and refine existing models such as the Continuum of Education Support Framework.

RECOMMENDATION 16

The Committee recommends that the ACT Education Directorate provides quarterly updates to the Assembly on the work of the Teacher Shortage Taskforce.

Government response

Agreed in principle.

The joint Education Directorate and Australian Education Union (AEU) Teacher Shortage Taskforce (Taskforce) will be in place until the end of Semester 1, 2022 in anticipation of bargaining to replace the *ACT Public Sector Education Directorate (Teaching Staff) Enterprise Agreement 2018-2022 (Agreement)* which nominally expires in September 2022. Given this, the Taskforce has agreed that a final report will be provided to the Government on the identified challenges, actions progressed and recommendations on future-focused workforce initiatives.

RECOMMENDATION 17

The Committee recommends that the ACT Government continue to support the Teacher Shortage Taskforce with a view to funding all Taskforce recommendations in the 2022-2023 budget.

Government response

Noted.

Since it has been established, the Taskforce has agreed that immediate and short-term actions will be progressed and implemented, as far as is practicable. The Taskforce has agreed that its recommendations will comprise medium and long-term initiatives to support the workforce which will need to be embedded in the Agreement as the employment framework for the teaching workforce. Given this, the funding for the recommendations will be considered within the Government's bargaining parameters in negotiating with the AEU for the replacement Agreement.

RECOMMENDATION 18

The Committee recommends that the ACT Government provide quarterly updates to the Assembly on:

- a) teacher employment casual to permanency conversion.**
- b) progress towards the goal of establishing 400 new full-time teaching positions during the current term of government.**

Government response

Agreed in principle.

The Government is committed to minimising the use of insecure work through the conversion of long term temporary and casual employees to permanency in line with the *Secure Work Conversion Policy (Conversion Policy)*. Since 2019, the Education Directorate has successfully progressed conversion to permanency of approximately 500 temporary and casual classroom teachers through the internal ratings process provided in the Agreement. The Directorate continues to implement the Conversion Policy for eligible long term temporary and casual classroom teachers in accordance with the professional expectations and responsibilities for the teaching workforce. Further, the Directorate

continues to undertake ongoing recruitment for classroom teachers and other school-based staff to meet the needs of schools in delivering educational services and in accordance with the Government's commitment of 400 additional positions in the ACT Public School system.

RECOMMENDATION 19

The Committee recommends that the ACT Government:

- a) increase the number of registered teachers in ACT government schools.**
- b) provide the full number of FTE registered teachers required to fully staff ACT government schools.**
- c) provide to the Committee the number of job vacancies for school teachers across the entire government school system.**
- d) ensure that teacher exit interviews are conducted and a full report delivered analysing the reasons staff leave teaching.**

Government response

Agreed in principle.

The ACT Public School system continues to grow every year and at present there are sufficient classroom teachers to meet core requirements. There have, however, been pressure points in some schools due to workforce supply shortages as the ACT is impacted by a nation-wide teacher shortage. Over the last 5 years, student enrolments have increased by 14.1 per cent. To meet this increased demand, the number of permanent teachers employed by the Education Directorate has increased by 25.2 per cent. In response to ongoing demand for temporary, casual and permanent classroom teachers, the Education Directorate is actively pursuing various short-term and long-term recruitment strategies.

The Education Directorate Staff Exit Survey has been developed and implemented in early Term 4, 2021. It is intended that the information from the Survey will inform strategic recruitment processes and strengthen our retention approaches for the teaching workforce.

RECOMMENDATION 20

The Committee recommends that the ACT Government explore options to increase investment in training and recruiting more ATSI teachers and explore infrastructure needs.

Government response

Agreed in principle.

In March 2021, the Government launched the *EDU Workforce Strategy 2021-23* (Workforce Strategy) which will make sure that we have the right workforce, with the right capabilities, in the right capacity, at the right time to deliver learning outcomes for children and young people in the ACT. One of the focus areas of the Workforce Strategy

is ensuring that we have 'a diverse and inclusive workforce to reflect the communities we serve'. The Directorate is committed to strengthening programs and initiatives to attract and retain Aboriginal and Torres Strait Islander peoples in the teaching profession.

RECOMMENDATION 21

The Committee recommends that the ACT Government

- a) Expedite its trial free breakfast and lunches in ACT schools.**
- b) provide capital funding for school kitchen facilities for on-site preparation.**
- c) provide secure employment for staff preparing food.**

Government response

Noted.

The Government has funded a two-year pilot to support the provision of breakfast and lunch at five ACT public schools three days per week. The first six months of this project involves development of an implementation plan and evaluation methodology for the pilot. This work has already commenced.

Capital expenditure on school kitchen facilities, and funding for staff is not within the scope of the pilot. The pilot will provide an opportunity to identify the best method/s for meal delivery in ACT public schools based on existing infrastructure. Infrastructure and staffing considerations will be considered as part of the evaluation.

RECOMMENDATION 22

The Committee recommends that the ACT Education Directorate aim to accredit all ACT schools under the Moneysmart program by the end of the 2022-2023 financial year.

Government response

Agreed in principle.

The Government is committed to building students' financial capability and agrees in principle that all ACT schools achieve accreditation status through the *Moneysmart Accreditation Program* by the end of 2022-2023 financial year.

The Government commenced the *Moneysmart Accreditation Program* (the Program) as an opt-in pilot on 1 July 2021. The Education Directorate has supported the program through funding the 12-month appointment of a School Leader to support schools through mentoring and a one-off payment of \$3,000 to schools accredited as part of the pilot program. All ACT public schools were invited to register.

From July 2021 to November 2021, the Education Directorate promoted the Accreditation Program through written communications and online information sessions and work is underway to refine the program model, including strengthening pedagogical support, to support enhanced school engagement.

RECOMMENDATION 23

The Committee recommends that the ACT Government invests in Child and Family centres at a level that keeps pace with ACT population increase and needs, and ensure equitable program offerings simultaneously on the north and south sides of Canberra.

Government response

Agreed in principle.

The Government agrees in principle to future investment in the delivery of earlier support to families and children. In 2021, a senior officials *Early Years Working Group* was established to support the delivery of the Government's priorities for children and families over its current term. The Working Group met for the first time in October 2021 and will drive a coordinated child and family response across government.

The Working Group will consider opportunities to progress the creation of a Territory-wide Child and Family Network, building on our centres in Tuggeranong, West Belconnen and Gungahlin as part of the forward plan.

RECOMMENDATION 24

The Committee recommends that the ACT Government expand its only free public autism assessment to offer early intervention assessment and referral services, and multidisciplinary autism spectrum disorder assessment, to children and youth aged 0-18.

Government response

Noted.

The Child Development Service (CDS) is an early intervention assessment and referral service for children aged 0-6 years. Eligibility is extended up to 12 years for children requiring a multidisciplinary autism spectrum disorder assessment. The CDS provides the only free publicly available autism assessment service in the ACT. Families can access the services offered at the CDS if they are unable to pay for private assessments.

Children who are referred to the CDS for an autism assessment while under 12 years but reach 12 years and over during the wait period will still be able to access an assessment through the CDS as no child is disadvantaged due to a wait list period.

RECOMMENDATION 25

The Committee recommends that the ACT Government fund the development of a second action plan as part of the Capital of Equality Strategy.

Government response

Agreed in principle.

Development of the *Second Action Plan (2022-2023)* under the *Capital of Equality Strategy (2019-2023)* is being undertaken from within the existing resources of the Office of LGBTIQ+ Affairs.

RECOMMENDATION 26

The Committee recommends that the ACT Government:

- a) **reduce reporting requirements on Aboriginal community-controlled organisations and allocate additional funding for secretariat support.**
- b) **provide the Assembly with a statement in six months on Aboriginal community-controlled organisations' views on:**
 - i. **the adequacy of funding, the nature of the consultation and how far their wishes were factored into the Government's approach.**
 - ii. **the appropriateness of reporting requirements including their suitability for the widely varying circumstances of different organisations.**
 - iii. **data gathering and whether it is experienced as invasive, and what changes will the Minister make to address this.**
 - iv. **progress towards establishing a new Aboriginal community-controlled organisation.**

Government response

Noted.

- a) The Government does not require extensive reporting on contracts in place across the sector including with Aboriginal Community-Controlled organisations.

With a move to a Commissioning for Social Impact approach, future reporting will move from reporting on 'outputs' to reporting on 'outcomes' which will support an overall picture of the results and impacts of initiatives and services.

It is a standard arrangement that a percentage of funding received from the Government goes towards supporting organisational costs. This component covers costs such as reporting and compliance.

- b) (i, ii) the Government has partnered with ACTCOSS on a Sector Sustainability Project that will identify which costs are currently accounted for in community service funding arrangements and which are not, or are only partially accounted for. The findings of this work will inform resource models that enable high quality service provision and recognise the changing social, cultural, economic and regulatory demands that shape the community sector operating environment.

(iii) Commissioning for social impact is expected to reduce reporting requirements with a focus on reporting on outcomes rather than outputs.

(iv) The Government has provided funding to support the establishment of Aboriginal Community-Controlled Organisations in the areas of Child and Family Services and Housing. Consultation with the Aboriginal and Torres Strait Islander community, current community-controlled organisations and the wider community sector will be undertaken to inform this work.

RECOMMENDATION 27

The Committee recommends that the ACT Government increase funding including for treaty and the language centre in the 2022-2023 budget.

Government response

Noted.

A Treaty process for the ACT is a long-term process, must be led by those with a traditional connection to the ACT with appropriate resources provided for the duration of the process. The Ngunnawal Language Centre will be a vital facility for the community and will be established with the aim of being sustainable in the long term.

In 2020-21, the Government committed to a 10-year, \$20 million fund to promote healing and reconciliation.

The *Healing and Reconciliation Fund* will be administered in partnership with the local Aboriginal and Torres Strait Islander community and will address priorities identified by the community. Initial priorities for funding have been identified through prior community engagement to include a Ngunnawal Language Centre and facilitated discussions to support community conversations on a Treaty process for the ACT.

RECOMMENDATION 28

The Committee recommends that the ACT Government increase funding for highly effective programs including the Yarrabi Bamirr Justice Reinvestment Program with Winnunga, the Aboriginal Legal Service and the Women's Legal Service.

Government response

Noted.

The Yarrabi Bamirr program is an important initiative in the Government's Justice Reinvestment agenda. It is a family-centric support model working with Aboriginal and Torres Strait Islander families to improve life outcomes and reduce or prevent contact with the justice system, particularly trans-generational offending. Yarrabi Bamirr is currently delivered by Winnunga Nimmityjah Aboriginal Health and Community Services, Yeddung Mura Aboriginal Corporation and Clybucca Dreaming Consulting.

Future funding for these types of initiatives will be considered in the context of the levels of demand and subject to future budget processes.

RECOMMENDATION 29

The Committee recommends that that the ACT Government:

- a) ensure that by the end of June 2022 Access Canberra shopfronts become dementia-friendly and ACT Government frontline workers receive dementia friendly training.**
- b) implement dementia friendly training at public theatres, galleries and community centres for all ACT Government staff.**

c) investigate affordable housing options built purposely for senior Canberrans.

d) incorporate seniors exercise parks into the Age-Friendly City Plan.

Government response

Agreed in part.

- a) Access Canberra Service Centres are already Dementia Friendly and as physical upgrades occur we continue to enhance the environment further.

Access Canberra have engaged Dementia Australia to deliver dementia training to all Service Centre staff. This training will be delivered over the next few months with most staff to have completed the training by June 2022.

- b) The Government will continue to consider opportunities to further enhance dementia training for staff whose roles include interactions with members of the public.
- c) Through the *ACT Housing Strategy (2018)* the Government has introduced a range of reforms, programs and funding initiatives, which span the full housing assistance continuum. One example is supporting YWCA Canberra through an Affordable Housing Innovation Fund grant to progress purpose built supportive housing for older women on an underutilised leased community facility site in Ainslie.
- d) The *Age-Friendly City Plan (AFCP)* is in place until 2024 and currently includes a focus on access to outdoor community space through the Age Friendly Suburbs Program and Seniors Grants actions. As part of the AFCP, the Seniors Grants guidelines have incorporated a focus on supporting activities which occur in local outdoor community spaces.

RECOMMENDATION 30

The Committee recommends that forward estimates be provided for:

- a) the disability and carers strategies announced in the budget, to provide certainty to the community of the government's intent to support their development and implementation.**
- b) the ongoing implementation of the First Action Plan 2019-2023 of the Disability Justice Strategy and that information be provided about the allocation of the funding and its removal or re-allocation from the last budget cycle.**

Government response

Noted.

Community engagement on the formation of the *ACT Disability Strategy* will shortly commence using a codesign approach and any further actions in relation to this and the *ACT Carers Strategy 2018-2028* will be subject to future budget consideration.

RECOMMENDATION 31

The Committee recommends that the ACT Government continue providing updates regarding the 2022 Multicultural Festival.

Government response

Agreed.

The Government has announced that the 2022 National Multicultural Festival will not proceed due to COVID-19.

RECOMMENDATION 32

The Committee recommends that the ACT Government:

- a) increase the number of affordable and accessible facilities for groups such as the community language schools.**
- b) increase funding for community language schools in the 2022-2023 budget.**

Government response

Noted.

- a) Community language schools use a range of Government and private facilities. Government facilities often accommodate a range of uses and the Government continues to work with community language schools regarding access and affordability.
- b) The Government has undertaken an *Independent Review of Investment in ACT Community Language Schools*. The review report and Government response will be tabled in the Assembly.

RECOMMENDATION 33

The Committee recommends that the CIT should develop a priority list of scheduled works relating to sustainability upgrades for CIT campuses.

Government response

Agreed in principle.

CIT undertakes an annual program of capital works for the provision of new or upgraded infrastructure across its campuses. CIT will consider options to inform a list of scheduled works for sustainability upgrades for the campuses.

RECOMMENDATION 34

The Committee recommends that the ACT Government provide the breakdown for the money to be spent across the 4 packages for the Woden CIT and bus interchange.

Government response

Noted.

The Government will provide contract values for each of the four packages of work once their respective procurement processes have taken place. Information about each contract will be placed on the public contracts register after they are signed.

RECOMMENDATION 35

The Committee recommends that the ACT Government provide specific and detailed information about JobTrainer funding.

Government response

Agreed.

The Government has committed an additional \$8.375 million to extend and expand the *JobTrainer* program, which will be matched by the Commonwealth Government over 2021-22 and 2022-23. This brings the total investment in the ACT's *JobTrainer* program to \$33.5 million.

Specific and detailed information about *JobTrainer* funding will be provided on the Skills Canberra website, shared with training providers and other stakeholders through various fora.

RECOMMENDATION 36

The Committee recommends that the ACT Government provide measurables for the Migrant Skills program, including success rates for course completions for those brought to study in the ACT, and indications of what is considered a successful number of those staying in the ACT on completion of their courses.

Government response

Not agreed.

The Australian Migration Program, administered by the Department of Home Affairs (Home Affairs), does not guarantee a residence pathway to international students. The student visa program is also managed by Home Affairs. Students must meet a 'genuine temporary entrant' criterion before a student visa is granted. International graduates must meet the Home Affairs visa criteria, and the ACT eligibility criteria, before they can be invited to apply for ACT nomination of a provisional/permanent visa. Skills Canberra does not hold data on course completions and staying in Canberra post-study.

RECOMMENDATION 37

The Committee recommends that the ACT Government:

a) increase funding for women's workforce participation.

- b) work towards consistency across the Womens, Aboriginal and Torres Strait Islander and Social Inclusion budget statements and ensure that the impact of various measures and initiatives on those specific groups is analysed.**

Government response

Agreed in principle.

- a) The Women's Return to Work Program supports women who have been out of the workforce for an extended period of time due to caring responsibilities. It helps them prepare for, obtain, and maintain employment with a one-off individual grant of up to \$1,000. The 2021-22 Budget included \$420,000 to continue the Women's Return to Work Program for a further three years, including mentoring and wrap-around support for participants and workshops to assist in the transition to the workforce.
- b) The Government will assess future Women's Budget Statements, Aboriginal and Torres Strait Islander Statements and Social Inclusion statements for consistency.

In future budgets, analysis of the impact of various measures and initiatives on specific groups will be undertaken through a range of avenues, including through the continued use of Wellbeing Impact Assessments.

RECOMMENDATION 38

The Committee recommends that the ACT Government assist 'Gunners Place' (the Gungahlin Youth Centre) in finding secure tenancy.

Government response

Agreed in principle.

The Government will work with the Gungahlin Youth Centre to assist them in registering their interest in finding accommodation that may become available in the future.

RECOMMENDATION 39

The Committee recommends that the ACT Government continue providing updates to the Gungahlin community regarding the repair of Gungahlin pool.

Government response

Agreed.

Regular updates will continue to be provided to the community during the Gungahlin Leisure Centre 50-metre pool repair.

Standing Committee on Economy and Gender and Economic Equality – November 2021

The Standing Committee on Economy and Gender and Economic Equality released *Report 3 – Appropriation Bill 2021-2022 and Appropriation (Office of the Legislative Assembly) Bill 2021-22* on 11 November 2021. The responses below address the recommendations of this report.

RECOMMENDATION 1

The Committee recommends that the ACT Government consider publishing guidelines for how it is ensuring ethical procurement of textiles, clothing, and footwear.

Government response

Agreed in principle.

The Government will consider guidelines to support Government buyers and suppliers in ensuring the ethical procurement of textiles, clothing, and footwear.

RECOMMENDATION 2

The Committee recommends that the ACT Government consider implementing recycled content quotas for procurements wherever possible.

Government response

Agreed in principle.

Consistent with the *National Waste Policy Action Plan* and the *ACT Waste Management Strategy*, the Government is considering options regarding the establishment of targets for recycled content and will explore how recycled content targets or quotas could be incorporated into procurements.

RECOMMENDATION 3

The Committee recommends that the ACT Government consider publishing milestones for how and when it will ensure slavery-free supply chains in procurement.

Government response

Agreed in principle.

The Government will develop a roadmap for progressing assurance measures and practices to develop and maintain as far as practically possible slavery-free supply chains in procurement.

RECOMMENDATION 4

The Committee recommends that the ACT Government consider the wide range of views and consult regarding paid parking in the Stromlo Forest Park carpark before a decision is made to introduce this measure.

Government response

Agreed.

The Government will consult with a wide range of Stromlo Forest Park user groups before a decision is made to introduce paid parking.

RECOMMENDATION 5

The Committee recommends that the ACT Government consider setting an accountability indicator for Stromlo Forest Park that measures customer satisfaction, as is done for the Arboretum, and further, that spending is prioritised on measures that improve these metrics.

Government response

Agreed in principle.

The Government will consider a customer satisfaction rating system at Stromlo Forest Park (SFP) in coming years. While this system works successfully at National Arboretum Canberra (NAC), SFP is at a different stage in its evolution.

NAC's Visitor Centre allows a viable sample size to be captured from a large portion of onsite patrons, who despite their reason for visiting, will ordinarily enter or exit through the visitor centre. SFP does not yet have a central hub nor the associated ICT infrastructure. As the park continues to develop, it will become more practicable for SFP to adopt a similar system to capture meaningful data.

In the meantime, feedback will continue to be sought and documented from onsite users and commercial contractors who consistently interface the community and visitors. This data can be used to inform/prioritise expenditure in the interim.

RECOMMENDATION 6

The Committee recommends that the ACT Government collaborate with the small business sector, particularly hospitality and retail businesses, and international students to fill skills shortages throughout the economy.

Government response

Agreed in principle.

The Government regularly engages with the business sector to understand the issues and barriers they face. Skills shortages have been reported across several sectors, including hospitality, tourism, retail and construction.

Annual consultation with employers of all sizes across sectors informs the ACT Skills Needs List (SNL). The SNL identifies occupations that are in demand within the ACT and the vocational education and training (VET) qualifications that best fit those occupations. The SNL also informs the Critical Skills List for Migration Purposes, which helps to ensure the ACT's skilled migrant workforce has the skills employers need.

Considerable work has gone into improving employer participation in the annual SNL consultation, which increased from 11 to 65 per cent of total respondents in the most recent round (in April-May 2021).

The SNL informs training subsidies for the ACT's Australian Apprenticeships (User Choice) and the scope of free training courses under the *JobTrainer* program.

Recently, the Government announced the Workforce Attraction Cooperative Grant Program (Program) in response to industry feedback. The Program, which was funded through the 2021-22 Budget, seeks to encourage collaborative partnerships to co-invest in projects, plans and activities that attract and retain a skilled workforce.

The Government is also supporting other initiatives, such as the Local Jobs Program to ensure those looking for work are connected to those looking to fill skills shortages.

RECOMMENDATION 7

The Committee recommends that the ACT Government make public a breakdown of outcomes in relation to code of conduct complaints, including greater clarity on the nature of code of conduct complaints and referrals to the Integrity Commissioner.

Government response

Agreed.

The Public Sector Standards Commissioner makes public the outcomes of code of conduct referrals received from across the ACTPS in the annual State of Service Report. Relevant statistics and information concerning misconduct processes commenced and completed, including the nature of complaints, is also included in the report. The next report (2020-21) is expected to be tabled in early December 2021.

All referrals from the ACTPS to the Integrity Commission are made under Mandatory Notification provisions (Division 3.1.2) of the *Integrity Commission Act 2018*. Section 7.2 of the *Integrity Commission (Mandatory Corruption Notification) Directions 2019 (No 2)* prevents disclosure of notifications.

RECOMMENDATION 8

The Committee recommends that the ACT Government publish future budget allocations for its Future Jobs Fund by year and forward estimates.

Government response

Noted.

The Future Jobs Fund was initially funded in the 2020-21 Budget for \$2.2 million, with further provisions in 2021-22.

RECOMMENDATION 9

The Committee recommends that the ACT Government monitor the ongoing impacts of the COVID-19 pandemic on travel and consider reviewing its \$2.5 billion target for total domestic visitor expenditure for the year ending June 2022 as the recovery progresses, and publish any new goal that reflects an ambitious, yet achievable recovery of the domestic and international visitor economy.

Government response

Agreed in principle.

The domestic visitor expenditure target outlined in the 2022 Action Plan for Recovery of the Visitor Economy assumed no further COVID-19 related travel restrictions would be imposed.

During 2022 work will commence on the development of the next medium term strategy document for the visitor economy out to 2030. This follows the last strategy document, the *2020 Tourism Strategy*. The development of this will leverage work being done at a national level by all states and territories, in partnership with the Commonwealth, to set long term aspirational goals for rebuilding and growing the visitor economy. The Government will use the research undertaken through this work to set an appropriate target and apply it at a local level.

RECOMMENDATION 10

The Committee recommends for future Estimates hearings that the ACT Government provides clear, concise, and timely information to Committee Support about Ministerial responsibilities for Budget outputs.

Government response

Agreed.

Consistent with current practices, the Government will continue to provide details regarding output allocations to ministers to the Committee Support Unit of the Office of the Legislative Assembly in advance of Estimates hearings (this information was provided on 28 September 2021 for the 2021-22 Budget Estimates hearings which commenced on 15 October 2021).

Information relating to ministerial responsibilities is also available through the current Administrative Arrangements <https://www.legislation.act.gov.au/View/ni/2021-84/current/PDF/2021-84.PDF>, and ACT Government officials are available to Committee Support to provide additional assistance as necessary.

Standing Committee on Health and Community Wellbeing – November 2021

The Standing Committee on Health and Community Wellbeing released *Report 2 – Appropriation Bill 2021-2022 and Appropriation (Office of the Legislative Assembly) Bill 2021-22* on 12 November 2021. The responses below address the recommendations of this report.

RECOMMENDATION 1

The Committee recommends that ACT Government increase funding for frontline domestic violence and rape crisis services from the current year provision to meet a continuing identification of need and an increasing number of cases.

Government response

Noted.

The Government is strongly committed to resourcing frontline services to respond to domestic, family, and sexual violence.

The 2021-22 allocation for frontline domestic and family violence services represents an increase in baseline funding for these services.

RECOMMENDATION 2

The Committee recommends that the ACT Government investigate the co-location of sexual health services with walk-in health centres.

Government response

Agreed in principle.

Some limited sexual health services, including chlamydia screening, are already provided in Walk-in Centres. The Government has committed to consider expanding the services available at Walk-in Centres to safely treat a wider range of injuries and illness within the scope of practice for advanced practice nurses and nurse practitioners. As this work continues, sexual health services will be considered, including partnering with community organisations to better integrate care across the sector.

RECOMMENDATION 3

The Committee recommends that the ACT Government release a timeline for the additional 400 public houses and 600 affordable rentals provided for in the Parliamentary and Government Agreement for the 10th Assembly.

Government response

Agreed in principle.

To progress achievement of this aim, the 2021-22 Budget also includes funding for the Maintaining and growing affordable housing initiatives *Gungahlin Common Ground Build-to-Rent* and the *Piloting build-to-rent projects with affordable rental* projects. The Government is working through a detailed timeline to deliver this commitment.

The commitment to aim towards 600 affordable rental dwellings has a timeline of “by 2025-26”.

RECOMMENDATION 4

The Committee recommends that a dedicated inpatient ward at Canberra Hospital be provided to enable family support for patients at the end of life.

Government response

Noted.

The establishment of a dedicated palliative care ward at the Canberra Hospital will be subject to consideration as part of future budget processes. The development of a palliative care ward would be undertaken in consultation with consumers, families and carers, including families of people who have received end-of-life care at Canberra Hospital.

RECOMMENDATION 5

The Committee recommends that the ACT Government through the Clare Holland House expansion, ensure that palliative care in any dedicated inpatient facility at the Canberra Hospital have at least five beds.

Government response

Noted.

This recommendation will be considered in the context of Recommendation 4, and will be subject to future budget consideration. Work on a dedicated palliative care ward at Canberra Hospital is not related to the expansion of Clare Holland House, which will proceed as outlined in the 2021-22 Budget.

RECOMMENDATION 6

The Committee recommends that the ACT Government publish a plan on how it will expand the facilities at the Hume Medical Centre.

Government response

Noted.

At present, there are no plans to build new facilities at the Hume Health Centre. Work continues to maximise the facilities currently available.

RECOMMENDATION 7

The Committee recommends that the ACT Government continue to investigate a needle exchange program for the AMC.

Government response

Noted.

The Government considers that any process for development, consideration and implementation of a needle and syringe program requires appropriate consultation, in particular with staff and unions.

Under a deed of agreement with the Community and Public Sector Union, and following overwhelming rejection of a proposed model by ballot in 2016, investigation and implementation of any proposed model is necessarily subject to majority support by staff.

RECOMMENDATION 8

The Committee recommends that the ACT Government publicly release the role descriptions of the ACT Chief Psychiatrist and the Coordinator-General of the Office of Mental Health and Wellbeing.

Government response

Agreed.

The roles and responsibilities of both positions are publicly available -

- The Chief Psychiatrist is a Statutory Position with the responsibilities of the role outlined in the *Mental Health Act 2015*; and
- The responsibilities of the Coordinator-General of the Office of Mental Health and Wellbeing are publicly available at <https://www.health.act.gov.au/about-our-health-system/office-mental-health-and-wellbeing>

RECOMMENDATION 9

The Committee recommends that the ACT Government investigate the implementation of an updated and improved system to handle and process complaints about mental health issues and to review the current processes applied in this matter.

Government response

Agreed in principle.

The Government will review the current mental health services complaint systems and make recommendations for improvement.

RECOMMENDATION 10

The Committee recommends that grants from the ACT Government Community Support Package be better promoted to community partners eligible for funding support.

Government response

Noted.

The Community Support Package was released in September 2021 to provide immediate additional funding to organisations that were experiencing increased demands on service due to the COVID-19 restrictions. The package was designed to support the areas of the community where the greatest demand was being seen and was provided to organisations that were already working with these communities and providing the service required already. It is additional funding to support organisations which have a proven record of working in partnership with the Government and were known to have the skills, ability and capacity to respond to the most vulnerable communities who needed support.

RECOMMENDATION 11

The Committee recommends that the ACT Government provide updates to the Legislative Assembly on development of a Disability Health Strategy by the end of 2022.

Government response

Agreed.

The Government is committed to delivering a Disability Health Strategy in close consultation with the community. Initial scoping and early consultation activities have commenced, with further consultation and development of the strategy planned for 2022.

RECOMMENDATION 12

The Committee recommends that detainees at Bimberi Youth Justice Centre continue to have access to AV links for family visits.

Government response

Agreed.

Bimberi Youth Justice Centre continues to offer audio visual link options for young people to maintain contact with their family members, as well as professional services such as case managers and legal services.

RECOMMENDATION 13

The Committee recommends to the ACT Government that young detainees at Bimberi Youth Justice Centre receive additional therapeutic supports, including mental health supports and counselling, whenever they are locked down for any reason.

Government response

Agreed.

Bimberi Youth Justice Centre works closely with Canberra Health Service to ensure the health and wellbeing of children and young people in custody. Custodial Mental Health (CMH) is a specialist service of Canberra Health Services that provides mental health services to young people during their custodial period at Bimberi. CMH clinicians provide mental health assessments for all young people upon admission and ongoing intervention, including psychiatric care by a Consultant Child Psychiatrist, to young people experiencing significant mental health concerns.

RECOMMENDATION 14

The Committee recommends that the ACT Government ensure that AMC detainees are not disadvantaged during parole hearings through providing a guarantee of housing either through Justice Housing or Housing ACT.

Government response

Agreed in principle.

The Government recognises the important role of housing in reducing the rate of recidivism. The Justice and Community Safety Directorate and Housing ACT are working together to explore housing pathways for people leaving incarceration in the ACT across different cohorts.

Housing ACT is not able to guarantee housing to every detainee in a parole hearing as the person must meet the eligibility criteria for social housing in the ACT; whether each detainee will meet these criteria is not always known.

Detainees can apply for a Justice Housing position prior to their matter being heard by the Sentence Administration Board. Applications are advised of the outcome of their assessment and, where there is a vacancy, all relevant parties are informed before the parole hearing.

RECOMMENDATION 15

The Committee recommends the ACT Government develop a health workforce strategy and provide an update before the end of Financial Year 2021-2022.

Government response

Agreed in principle.

Accessible, Accountable, Sustainable: A Framework for the ACT Public Health System 2020-2030 identifies the key strategies and plans that will shape the future direction of ACT health services over the decade, including a health workforce strategy. The strategy will be developed following finalisation of related documents, including the Territory Wide Health Services Plan. Preliminary work is underway across the ACT public health system to consider alignment, scope and lead responsibility for the strategy.

RECOMMENDATION 16

The Committee recommends that the ACT Government publicly release the human rights compatibility statement on vaccination requirements for all health directions as recommended by the ACT Human Rights Commission.

Government response

Agreed.

Human rights were a key consideration of the Chief Health Officer in issuing these directions. The Chief Health Officer issued a human rights statement in October 2021 which broadly addressed the human rights considerations made in relation to the public health directions issued to date.

The full statement is publicly available here www.covid19.act.gov.au/_data/assets/pdf_file/0008/1870901/COVID-19-Human-Rights-Act-statement-2021-update.pdf

RECOMMENDATION 17

The Committee recommends that the ACT Government investigate and report on the viability of providing risk-based streaming, such as seniors streaming, in Emergency Departments.

Government response

Agreed in principle.

Risk-based streaming in Emergency Departments is adopted where feasible by Canberra Hospital and Calvary Public Hospital Bruce within current infrastructure.

Within the new Critical Services Building at the Canberra Hospital there will be a dedicated facility to stream the following groups of patients who require specific care and oversight:

- Paediatrics – a dedicated bespoke unit will allow paediatric patients, carers and families to be co-located in an appropriate environment, separate to the rest of the ED. This includes an overnight short stay unit.
- Behaviour Assessment Unit – this dedicated facility will be based in the ED but have specific modifications to allow vulnerable patients to be cared for in a low intensity environment to support specific needs. This will include people presenting with autism, mental health concerns, disability and other vulnerable client groups.

- Seniors/Older patient groups – a specific area will be developed within the acute pod of the new ED to care for patients requiring assessment for frailty and ongoing care needs.

The viability of risk-based streaming for other cohorts at the Emergency Departments at Canberra Hospital and Calvary Public Hospital Bruce will be further examined.

RECOMMENDATION 18

The Committee recommends that the ACT Government fund a dedicated team of policy experts within ACT Health to address the intersection of climate change and health.

Government response

Noted.

The ACT Health Directorate is managing many intersections between human health and climate change, including mental health impacts, infrastructure planning, environmental health and population and preventive health. The Government will consider the proposal for a dedicated policy team in the context of current whole-of-system planning and future budget processes.

RECOMMENDATION 19

The Committee recommends that the ACT Government should ensure that any external consultants commissioned to implement the recommendations of the LGBTIQ+ scoping study demonstrate connection to the LGBTIQ+ community and the service sector that surrounds it.

Government response

Agreed.

The Government is committed to ensuring that the commissioned consultants supporting the implementation of the LGBTIQ+ Health Scoping Study are familiar with working with LGBTIQ+ communities on sensitive issues. The Request for Quote that was submitted to market highlighted the importance of this expertise and an understanding of health systems and the barriers to high quality healthcare ACT LGBTIQ+ community members and their families may experience.

RECOMMENDATION 20

The Committee recommends that the new iteration of A Step Up for Our Kids specifically address concerns raised by foster and kinship carers.

Government response

Agreed.

The next stage of reform to out of home care is an evolution of the first strategy informed by extensive review and consultation on the benefits and challenges experienced since 2015. Central to this consultation have been the voices of children and young people, their parents and their carers, who have told us what they want the child and youth protection and out of home care system to look like.

Targeted discussions with carers in 2021 built on insights and feedback from the Foster / Kinship Carer Wellbeing Survey conducted in 2018. Targeted discussions with carers and agencies representing carers were conducted during stages one and two of engagement to inform the next stage.

RECOMMENDATION 21

The Committee recommends that the ACT Government fund implementation of the carers' strategy with emphasis on respite care.

Government response

Noted.

Further actions in relation to the *ACT Carers Strategy 2018-2028* will be subject to future budget consideration.

RECOMMENDATION 22

The Committee recommends that the ACT Government articulate in the Budget the amount of money from the family safety Levy going to frontline services and the amount being used by government policy responses.

Government response

Noted.

The Government already reflects the allocation of the Safer Families Levy across frontline services and other reform priorities in Appendix H of the Budget Papers. The Safer Families Levy was introduced to drive reform in response to domestic and family violence. This includes substantial policy, program, and pilot initiatives and each item funded by the Safer Families Levy may involve both frontline service as well as policy responses.

RECOMMENDATION 23

The Committee recommends that the ACT Government fund specialist trauma counselling services for children in women's refuges.

Government response

Noted.

It is important that responses to children and young people who have experienced domestic and family violence are coordinated, integrated within the existing service system and are informed by the views of children and young people. The Office of the Coordinator General Family Safety undertook a significant consultation with children and young people who had experienced domestic and family violence to hear directly from them. These insights are being used to design, tender and test a new approach.

Standing Committee on Planning, Transport and City Services – November 2021

The Standing Committee on Planning, Transport and City Services released *Report 6 – Appropriation Bill 2021-2022 and Appropriation (Office of the Legislative Assembly) Bill 2021-22* on 12 November 2021. The responses below address the recommendations of this report.

RECOMMENDATION 1

The Committee recommends that future budgets give a clear methodology to allow comparison on total expenditure on Roads and Active Transport and publish the total amount spent on active transport infrastructure as a separate line item.

Government response

Agreed in principle.

The Government will investigate options for publishing this information in future.

RECOMMENDATION 2

The Committee recommends that the ACT Government consider updating the Transport Strategy to contain mode share targets for active and public transport.

Government response

Noted.

The Government agrees that mode share targets may assist in tracking progress towards adoption of the objectives outlined in the *ACT Transport Strategy*. Rather than updating the *ACT Transport Strategy*, which was adopted by Government in 2020, mode share targets will be considered within a separate implementation program for the Strategy which includes the development of a Monitoring and Reporting Framework and an updated Active Travel Framework.

RECOMMENDATION 3

The Committee recommends that the ACT Government release its path and shared path maintenance review.

Government response

Agreed.

The Government will consider options to provide information on the insights from the path condition review once finalised, noting that the data is currently being captured.

RECOMMENDATION 4

The Committee recommends that the ACT Government consider establishing an accountability indicator to establish the percentage of shared paths and footpaths in good condition, similar to the indicator for roads.

Government response

Agreed in principle.

The Transport Canberra and City Services Directorate is currently reviewing Accountability Indicators and Strategic Indicators. This recommendation will be considered as part of the review.

RECOMMENDATION 5

The Committee recommends that the ACT Government consider establishing an accountability indicator to report the average amount of days it takes for footpath and shared paths repairs to be actioned once reported via Fix My Street.

Government response

Agreed in principle.

The Transport Canberra and City Services Directorate is currently reviewing Accountability Indicators and Strategic Indicators. This recommendation will be considered as part of the review.

RECOMMENDATION 6

The Committee recommends that the ACT Government should ensure that strategic planning for crematoria and other major facilities is in alignment with statutory planning, to ensure that what is developed in Canberra is only what is needed for our current and future population numbers.

Government response

Noted.

Population growth and the associated demand on land use is a key criterion in strategic planning for ongoing and future land uses.

RECOMMENDATION 7

The Committee recommends the ACT Government provide regular reporting on the implementation of the urban forest strategy including planting numbers.

Government response

Agreed.

The Government Response to *Assembly Resolution of 31 March 2021 – Urban Tree Canopy Coverage* commits the Government to provide an annual update on all initiatives in the *Urban Forest Strategy*, including planting numbers.

RECOMMENDATION 8

The Committee recommends that the ACT Government ensures sufficient funds are allocated on education to ensure the upgraded MRF and new FOGO facility provide low contamination and high recovery rates.

Government response

Agreed in principle.

The Government will continue to explore the best approach to achieving desired outcomes from its waste management services. The Government has recently commenced a bin tagging trial for household recycling bins, and a range of engagement and education methods are being used with the Food Organics and Garden Organics Pilot commenced in Belconnen on 22 November 2021. The evaluation of these activities will help inform the design of future services to ensure efficient and effective use of education resources.

RECOMMENDATION 9

The Committee recommends that the ACT Government explore the need for water quality testing at public dog swimming areas given that dogs are classed as sentient beings in the ACT and to help prevent dogs suffering from algae poisoning.

Government response

Noted.

The Government will investigate communicating with pet owners about safe use of lakes and how to follow general warnings about lake water quality based on existing water testing that is undertaken.

Algae is not just present in water, often forming in clumps on the shorelines of our waterways, and it is the responsibility of dog owners to ensure that their pets do not ingest this material.

RECOMMENDATION 10

The Committee recommends the ACT Government explore joint procurement options with NSW for zero emissions buses.

Government response

Agreed in principle.

The Government is currently in the process of testing the market for innovative, value for money options for the procurement of zero emissions buses. This includes working with other Australian and New Zealand transport organisations on a best practice approach to zero emissions transition and leveraging inter-jurisdictional arrangements where possible and appropriate.

RECOMMENDATION 11

The Committee recommends that the ACT Government consider hourly weekend bus services as part of Transport Canberra's next tranche of network improvements.

Government response

Agreed in principle.

The Government will consider options to increase the frequency of weekend bus services as part of planning for the future of the network in 2022 and beyond.

Rapid bus services are already provided every 30 minutes or better, a higher frequency than the recommended 1 hour. Route services are also generally already provided on an hourly basis on Saturday mornings.

RECOMMENDATION 12

The Committee recommends that the ACT Government should investigate barriers to achieving a higher on-time running performance including lack of bus priority measures, or inaccurate route timings with a view to increasing the performance target in the future.

Government response

Agreed in principle.

The Government will continue to investigate opportunities to increase on-time running performance, including reviewing route timings and implementation of bus priority measures.

RECOMMENDATION 13

The Committee recommends that the ACT Government consider separating the accountability indicators in Budget Statements I for the CIT Woden Project and the Light Rail to Woden Project.

Government response

Agreed in principle.

The accountability indicators in Budget Statement I for the CIT Woden Project and the Light Rail to Woden Project are already broken down into a number of sub-sections.

The Government will consider the separation of accountability indicators as they relate to separate portfolios in future budgets.

RECOMMENDATION 14

The Committee recommends that Major Projects Canberra demonstrate how they will be reducing Scope 1, 2 and 3 emissions as part of the light rail project and publish this for public access.

Government response

Agreed in principle.

The environmental assessment (EA) completed for the Raising of London Circuit component of the Light Rail Stage 2A project includes a greenhouse gas assessment which calculated expected emissions associated with the Project. That EA is published through the National Capital Authority (NCA) Works Approval process and is currently available to the public on the NCA website.

Similarly, an EA will be prepared for Stage 2A rail works, which will also calculate and make public expected emissions associated with the Project. This will reflect measures taken to reduce such emissions.

The Government has recently released the Light Rail Sustainability Policy which sets out commitments against multiple sustainability themes including several that relate to low emissions construction materials. The project is establishing sustainability targets against the themes and commitments in this Policy.

RECOMMENDATION 15

The Committee recommends that Major Projects Canberra continue to assess new construction technologies and techniques which may further reduce emissions from major construction projects.

Government response

Agreed.

RECOMMENDATION 16

The Committee recommends that Transport Canberra and City Services should consider opportunities to improve the use and experience of dryland ovals, including opportunities to turn some or all of the oval into other uses, such as playgrounds or other community facilities.

Government response

Noted.

Dryland ovals are maintained as urban open space and are not suitable for formal sporting use. Any initiatives to enhance facilities at dryland ovals would be subject to consideration of community need, equity and other factors and the provision consideration of funding in a future budget process.

RECOMMENDATION 17

The Committee recommends that the ACT Government match mowing services to the prevailing weather conditions including services in very wet years.

Government response

Agreed in principle.

Operational arrangements for provision of mowing services to meet above-average seasonal challenges are reviewed regularly by the Government.

RECOMMENDATION 18

The Committee recommends that the ACT Government investigate alternative mowing solutions.

Government response

Agreed.

The Government routinely investigates and implements a range of alternative mowing solutions to meet seasonal conditions, such as prioritising safety-related mowing over amenity mowing; using external contractors to supplement in-house resources; and implementing extended shift and overtime arrangements where possible and safe to do so. Alternative solutions are subject to compliance with relevant Government policies and the available resources.

RECOMMENDATION 19

The Committee recommends that the ACT Government publish an explicit plan on how it will achieve the 70% infill target.

Government response

Agreed in principle.

The *ACT Planning Strategy 2018* identifies where the 70 per cent infill is proposed and where further investigation is proposed to provide for infill development. Details on how the 70 per cent infill target will be achieved are specified as actions in the Strategy.

RECOMMENDATION 20

The Committee recommends that the SLA apply the new methods commenced in Whitlam earlier this year to avoid block scraping and explore further methods to avoid block scraping in all greenfield developments.

Government response

Noted.

The means by which residential greenfield development is constructed requires significant amounts of land shaping to take place. To create liveable environments that meet community expectations, engineering and municipal service standards, Territory Plan requirements, and other relevant Government policies, there is a need to move and scrape land in greenfield developments.

There are also environmental and economic advantages in managing these activities at an estate level in a controlled manner as it provides a more efficient use of developable land.

As part of ongoing improvements and innovation the Suburban Land Agency, in conjunction with EPSDD and the EPA, are considering the approach taken in the development of Whitlam and ways to improve current standards.

RECOMMENDATION 21

The Committee recommends that the ACT Government review its 2019 assessment of apartment buildings impacted by combustible cladding and conduct an audit to determine the full scope of the issue.

Government response

Noted.

Through its administration of the Private Buildings Cladding Scheme, the Government adds or subtracts properties from its 2019 assessment of apartment buildings potentially impacted by combustible cladding as outcomes of cladding fire risk assessments become known. As such, the 2019 assessment is subject to ongoing review.

The Government does not propose to conduct a further audit into the matter. Instead, the Government has established the Private Buildings Cladding Scheme to provide education, encouragement and financial support for private owners to take action to address the issue.

RECOMMENDATION 22

The Committee recommends that the ACT Government release all documents in relation to the establishment of the Private Buildings Cladding Scheme under the *Freedom of Information Act 2016*.

Government response

Agreed in part.

The Government has released documents under the *Freedom of Information Act 2016* (the FOI Act) relating to the Private Buildings Cladding Scheme. These can be found on the Major Projects Canberra website. Individual Freedom of Information requests will be considered under the FOI Act based on the specific scope and nature of the request.

RECOMMENDATION 23

The Committee recommends that the ACT Government publish more information on ecosystem condition scores and what these mean and publish plans to improve ecosystem condition scores.

Government response

Agreed.

Information is publicly available at <https://www.act.gov.au/wellbeing/explore-wellbeing-data/environment-and-climate/healthy-and-resilient-natural-environment> along with the detailed Conservation Effectiveness reports at <https://www.environment.act.gov.au/nature-conservation/conservation-research/conservation-effectiveness-monitoring-program>

RECOMMENDATION 24

The Committee recommends that the ACT Government investigate barriers to community housing partnerships.

Government response

Agreed.

The Government works with community housing providers to facilitate access to land for social and affordable housing and is working with community housing providers on a range of initiatives, policies and programs under the *ACT Housing Strategy*. These include development of underutilised community facility land, the affordable community housing land tax exemption scheme, expansion of the land rent scheme, piloting a shared equity scheme and the development of build-to-rent projects.

For example, the Demonstration Housing Project is currently exploring different housing choices for Canberra. Through this work, a partnership between Housing ACT and the Environmental Collective Housing Organisation (ECHO) Inc is proposing to deliver a 'co-housing' model of nine dwellings across two neighbouring sites in Lyneham. One block is owned by ECHO and the other by Housing ACT. The project is intended to deliver affordable rental housing, with a special target group being women aged 55 and above who are at risk of homelessness. The proposal is an opportunity to address barriers to community housing partnerships by delivering a proposal and reviewing post-occupancy outcomes.

RECOMMENDATION 25

The Committee recommends that that, given the stated response that Federal tax settings around Capital Gains Tax and negative gearing are contributing to high housing prices in Canberra, that the ACT Government lobby Federal Parliament to change these tax settings.

Government response

Agreed in principle.

The Government will continue to raise with the Commonwealth Government the impacts of federal tax settings on housing affordability.

RECOMMENDATION 26

The Committee recommends that the ACT Government identify all factors within the ACT's control for increasing housing affordability as part of the planning review process and make these identified options public.

Government response

Agreed in principle.

The *ACT Housing Strategy* (the Strategy) was released in October 2018 and its role is to guide the delivery of housing in the ACT over its 10-year lifespan. While the Strategy focuses on what the Government can do to improve housing-related outcomes for all Canberrans, it includes a particular emphasis on households on low to moderate incomes and those most vulnerable to homelessness.

Continued consideration of the barriers to and options for increasing housing affordability will be undertaken as part of the ongoing implementation of the Strategy, noting housing affordability is a complex matter impacted by a range of factors, particularly federal tax settings.

RECOMMENDATION 27

The Committee recommends that the ACT Government consider all methods including additional advertising for increasing the uptake of the affordable "Rentwell" and "HomeGround" programs to increase the supply of affordable rentals.

Government response

Agreed in principle.

The Government will work with community housing providers to identify shared opportunities to strengthen awareness of the affordable housing land tax exemption, noting the Rentwell and HomeGround programs are administered by non-government organisations. This will build on existing promotion in the media, ACT Government websites, and OurCanberra articles.

RECOMMENDATION 28

The Committee recommends that EPSDD has adequate resourcing to meet accountability indicators for processing times on DAs.

Government response

Agreed in principle.

The Government considers current resourcing is sufficient for processing development applications.

The Government provided funding for new development assessment positions in the 2019-20 Budget. Since this time, development application processing times have significantly improved.

RECOMMENDATION 29

The Committee recommends that the ACT Government report on planting to ensure new suburbs will be able to achieve 30% tree canopy cover over time.

Government response

Agreed in principle.

The *Urban Forest Strategy* has a focus on equitable distribution of the urban forest with planting efforts prioritised in the areas where canopy cover is lowest and where residents are most vulnerable.

The *Assembly Resolution of 31 March 2021 – Urban Tree Canopy Coverage* commits the Government to provide an annual update on all initiatives in the *Urban Forest Strategy*, including planting numbers. The progress towards the 30 per cent canopy cover target will be measured periodically by remote sensing and will inform planting priorities. It should be noted that the 30 per cent target is for the urban area as a whole. While an equitable distribution of canopy cover is a key goal, it is recognised that not all areas will achieve this coverage due to limitations on available planting spaces.

RECOMMENDATION 30

The Committee recommends that noting only 14 show cause and seven controlled activity orders issued from 866 complaints, the ACT Government advise whether good outcomes are being achieved in compliance and that Access Canberra create and distribute a survey to assess satisfaction with the service from complainants.

Government response

Noted.

The Government already surveys customer satisfaction through a number of channels, including an annual survey of customer satisfaction with Access Canberra and individualised surveys of members of the community or businesses who have had regulatory interactions with Access Canberra.

Access Canberra does not measure success through the volume of enforcement actions taken. Sometimes there can be multiple complaints for a single issue. Comparing the number of complaints to the number of enforcement actions is not a reliable indicator of successful regulatory outcomes being achieved. Where possible, Access Canberra seeks to engage and educate as a preferred posture to achieve voluntary compliance, as this often leads to better overall outcomes. Where this cannot be achieved, a range of regulatory tools may be applied to achieve the best regulatory outcome in the circumstances.

RECOMMENDATION 31

The Committee recommends that the ACT Government should explore options to ensure commercial lease conditions are met and enforced and that regulators have the adequate tools to ensure that land is being used efficiently and not "land banked".

Government response

Noted.

Commercial Crown lease conditions are expected to be complied with and there are mechanisms in place to require this.