

2007

THE LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

TABLING STATEMENT

Government Responses to:

Standing Committee on Planning and Environment: Report No. 26 -- Report on Annual and Financial Reports 2005-2006

Standing Committee on Legal Affairs: Report No. 5 -- Report on Annual and Financial Reports 2005- 2006

Standing Committee on Health and Disability: Report No. 3 -- Report on Annual and Financial Reports 2005-2006

Standing Committee on Public Accounts: Report No.10 -- Report on Annual and Financial Reports 2005-2006

Standing Committee on Education, Training and Young People: Report No. 4 -- Report on Annual and Financial Reports 2005-2006

Tabled by
Jon Stanhope MLA
Chief Minister

27/9/07

I am pleased to present the Government's Responses to five Standing Committee reports on the Annual and Financial Reports for the calendar years 2005 and 2006, and the financial year 2005-06.

As in previous years, I am tabling the responses to all of the Standing Committee reports covering all portfolios together. This is because the Standing Committee reports generally cover more than one Minister and more than one portfolio and, in certain cases, issues raised in the reports apply across departments and agencies.

As members will be aware, annual and financial reports are prepared by agencies in accordance with the *Annual Reports (Government Agencies) Act 2004*, the *Financial Management Act 1996* and the Chief Minister's Department *Annual Report Directions*. The Government seeks to ensure that annual and financial reports are continually updated to reflect best practice and full accountability. In line with this approach, some of the issues raised in the Committee reports have already been addressed in the 2006-07 Annual Report Directions.

The Standing Committees made 33 recommendations. The Government has agreed in full or in principle to 20 of these, and noted a further five. Eight recommendations are not agreed.

The Government has agreed in full or in principle to the majority of recommendations made by the Standing Committees. I will briefly touch on the reasons for the Government not agreeing to some of the recommendations.

The Standing Committee on Public Accounts recommended that the Department of Treasury include in future annual reports a discussion on levels and rates of charging and taxing within the Territory. It is the Government's position that the purpose of annual reports is for agencies to account for their performance. A discussion on levels and rates of charges and taxes go beyond the scope of departmental annual reports.

The Public Accounts Committee recommended that the Government publish the audited financial report on TransACT Communications Private Limited, as soon as it becomes available and submit this report to the Legislative Assembly, rather than wait till the end of the financial year. The Government is not responsible for publishing TransACT's annual report. Further, the Government does not have a controlling interest in TransACT and notes that ACTEW is satisfied with the process currently adopted by the TransACT Board.

The Public Accounts Committee also recommended that the ACT Government publish policy advice provided by the Department of Treasury, in relation to revenue measures and reductions in outlays of expenditure. However, policy advice from the Department of Treasury in relation to revenue or expenditure measures is provided to Government through Cabinet as part of the Budget development process, hence this advice is classified 'Cabinet-in-Confidence' and is not publicly released.

In addition, the Standing Committee on Public Accounts recommended that the Chief Minister's Department report back to the ACT Legislative Assembly on the outcomes of the Small Business Commissioner and the status of ongoing projects of the Small Business Commissioner. The outcomes and status of ongoing projects of the Small Business Commissioner have been articulated in the Small Business Commissioner annual reports to the Legislative Assembly. The remaining Government responses to the 2005-06 Annual and Financial Reports of the Standing Committees on Public Accounts, on Legal Affairs, on Planning and Environment, on Health and Disability, and on Education, Young People and Training are set out below.

I would like to thank the Standing Committees for the effort they have made in preparing their reports. I am sure the Assembly will agree that the Government has responded in a manner that enhances our record of openness and accountability.

Mr Speaker, I commend the Government's Responses to the Assembly.

2007

THE LEGISLATIVE ASSEMBLY FOR
THE AUSTRALIAN CAPITAL TERRITORY

GOVERNMENT RESPONSE

Standing Committee on Planning and
Environment

Report No. 26

Report on Annual and Financial Reports 2005-2006

April 2007

Tabled by
Jon Stanhope MLA
Chief Minister

Government Response

Report 26 - Standing Committee on Planning and Environment -- Report on
2005-2006 Annual and Financial Reports

Introduction

The Annual Reports of all ACT Government agencies are referred to the Standing Committees of the ACT Legislative Assembly for examination and report.

The Standing Committee on Planning and Environment reviewed annual reports for:

- ACT Planning and Land Authority
- ACT Land Development Agency
- ACTION Authority
- Department of Territory and Municipal Services
- Commissioner for the Environment
- Canberra Public Cemeteries Trust
- Chief Minister's Department (environmental matters only)

The Committee made seven recommendations.

Response to Committee Recommendations

Recommendation 1

2.12 The Committee recommends that the Minister for Territory and Municipal Services comply with the ACT Government Community Engagement Manual in the administration of his portfolio responsibilities.

Government Response

Agreed. Territory and Municipal Services complies with the ACT Government Community Engagement Manual. It also has a community engagement policy that sits within the umbrella of the wider government framework and is specific to the business of the department.

Recommendation 2

2.25 The Committee recommends that the Office of Commissioner for Environment be allocated an additional permanent position at an appropriately senior level.

Government Response

Noted. The Commissioner for the Environment is currently undertaking a review of the role to investigate the feasibility of including sustainability and water catchment issues.

Part of this review is an examination of the future staffing requirements for the Office of the Commissioner.

Recommendation 3

2.27 The Committee recommends that ACT Government departments reduce the use of contract staff through better management of their permanent public service staff.

Government Response

Agreed. Through ACT public sector collective agreements, the Government is committed to promoting permanent employment and job security for employees within the ACTPS. Agencies will endeavour to minimise the use of contractors, temporary and casual employees. Agencies agree to use temporary employees only where there is no officer available in the Agency with the expertise, skills or qualifications required for the duties to be performed or the assistance of a temporary nature is required by the Agency for the Agency and it is not practical in the circumstances to use the services of an existing officer.

The Government acknowledges that there may be circumstances where the Agency has to undertake a program or task that requires dedicated resources by persons with skills or experience for which the engagement of such persons on a contractual or casual basis is needed for the operational requirements of the Agency. However, where any proposed employment arrangements will involve a regular and systematic pattern of work and where the person has a reasonable expectation that such arrangements will continue, then the Agency will consider engaging the person on a different basis, including on a permanent or temporary basis.

Recommendation 4

2.70 The Committee recommends that the public education activities at the Materials Recovery Facility in Hume continue to be promoted and expanded.

Government Response

Agreed. Public education at the Materials Recovery Facility in Hume is funded under contract with the facility operator, Thiess Environmental Services. Under the contract the operators pay into an education fund on a rate-by-tonne basis of materials sent to landfill from the facility. This fund is managed by the Department of the Territory and Municipal Services in partnership with the contractor.

The government and the contractor have a mutual interest in promoting high levels of appropriate recycling at the facility. Public education under the program is growing through television and newspaper advertising, open days and visits to the facility and the landfill by schools groups. In calendar 2005, 3179 students and members of the public visited the facility. In 2006, this grew to 4549 visits and to June 2007, 3313 students and members of the public have visited the facility.

Recommendation 5

3.8 The Committee recommends that in future annual reports the Planning and Land Authority better comply with the Chief Minister's Annual Report Directions concerning the report of external scrutiny.

Government Response

Agreed. The Government has implemented new processes to improve the reporting of internal and external scrutiny of activities for 2006-07.

Recommendation 6

4.8 The Committee recommends that the Assembly consider the benefits of joint inquiries by Assembly and counterpart parliamentary committees in other jurisdictions, including the Commonwealth, in relation to matters that have both Commonwealth and ACT implications.

Government Response

Agreed in principle. The Government supports both recommendations 6 and 7 because they represent genuine efforts to reduce duplication in the planning area, which has been of concern to the ACT Government for a long time.

However the Government notes that action on the recommendations is properly a matter for the Assembly to consider and action as appropriate.

Recommendation 7

4.9 The Committee recommends that the Assembly resolve to permit joint inquiries by the Standing Committee on Planning and Environment and the Australian Parliament's Joint Standing Committee on the National Capital and External Territories in relation to matters that require amendments to both the National Capital Plan and the Territory Plan.

Government Response

Agreed in principle.