

**Government Response to the
Select Committee on Estimates
2012-2013**

Tabling Statement

Andrew Barr MLA
Treasurer

August 2012

Government Response – Tabling Statement

Mr Speaker, I present the Government's Response to the *Report of the Select Committee on Estimates 2012-2013*.

Work of the Committee and Advisor

I wish to thank the Committee, and its support staff, for its Report on the *Appropriation Bill 2012-2013*. The Committee's main Report has been prepared within a short timeframe, and the Government appreciates the effort that has been made by the Committee and its Secretariat.

Further, the Government would like to extend its appreciation to the Chair for her professional leadership.

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

I would also like to take this opportunity to acknowledge and thank Centre for International Economics for its efforts and time put into providing an independent view of the 2012-13 ACT Budget and other important aspects of the Budget.

Estimates Report

Mr Speaker, the Estimates Committee Report presents 151 recommendations. In conjunction with the independent advisor's report, it effectively canvasses a large range of issues in the Budget.

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

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

In our response, the Government has:

- agreed to 37 recommendations;
- agreed in principle to 31 recommendations;
- noted 63 recommendations; and
- not agreed to 23 recommendations.

Mr Speaker, I note that three of the Committee Recommendations contained 2 parts for which separate recommendations have been provided (so the numbers don't quite add up).

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

The Government has also not agreed to several of the recommendations on the basis that, the suggested change or service is already sufficiently catered for or provided, detailed analysis or reviews have already been undertaken on the issues raised, or information requested is available in the various reports either provided to the committee or publicly available. It has been assessed that additional work or service provision in the regard will not be duplicated.

Additionally, in some cases the response to the recommendation and existing policies appropriately addresses the issue being raised.

In relation to other recommendations not agreed, it has been generally considered that the recommendations have been resolved through other mechanisms, do not align with currently legislative practice or existing policy intent, alternative processes are already underway, have privacy issues associated, reserve previous government decisions, or are subject to future budgetary decisions of government.

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

The Centre for International Economics Report

The Government is also pleased with the findings of the Centre for International Economics Report. I'd like to highlight these findings:

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

- GSP (Gross State Product) growth forecasts are considered appropriately conservative and reasonable;
- CPI growth is sufficiently cautious and plausible given that it is highly unlikely the large capital works program for the Territory will lead to higher than forecast CPI growth in the ACT;
- WPI assumptions are satisfactory;
- employment growth forecasts are within a plausible employment range and the low to flat employment growth for 2011-12 and 2012-13 appropriately takes into account significant job cuts in the Commonwealth public service'

CIE highlighted the significance of the taxation reform which it considered, would lead to a more sustainable revenue base in the long run. Specifically, CIE outlines that the tax reform package comes at the right time as the ACT is anticipating getting a lower share of Commonwealth GST Revenue under the new funding formula.

They also considered the capital works program as justified public sector investment to hold up ACT's State Final Product.

Finally, they note that each of the savings initiatives introduced in the 2012-13 Budget seems plausible and achievable.

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

This is in stark contrast to the recommendations included in the Dissenting Report, which appear to ignore utterly the observations and conclusions of the Committee's independent expert advisor, and draw its own conclusions on the Budget and the Government as fiscal managers based on little or no evidence.

Let me just run through a few Dissenting Report recommendations which contradict the expert advice:

The Dissenting Report recommends "that the Government be condemned for its failure to implement sound fiscal policy on the basis of returning Budget deficits".

Mr Speaker, there is a wealth of literature on the appropriateness of accepting temporary deficits for economic and social policy reasons. Returning a budget deficit is not, in itself, a failure to implement sound fiscal policy.

In the CIE briefing on this matter, the Committee's expert adviser observes that, , and I quote, "there are a number of complex trade-offs involved in deciding whether or when to run a budget deficit and how quickly to return a budget to surplus".

Mr Speaker, these trade-offs are outlined in a table within this paper, including government spending to boost private demand, borrowing for long-term investments that increase the productive capacity of the economy, and that deficit phases should be sustained as long as necessary to boost the economy.

It is highlighted that Budgets must be countercyclical, and need to have sufficient flexibility to return to surplus.

Mr Speaker, we have a plan to return the budget surplus, and the objectives of this plan are clearly articulated to provide a measured approach to return the budget to surplus through balancing various trade-offs.

In another example, the Dissenting Report recommends "that the Government be condemned for its failure to implement sound equitable and efficient tax reform measures".

This again diverges from the CIE observations on this matter, and I quote “the tax reform package comes at the right time, as the ACT is anticipating getting a lower share of Commonwealth GST Revenue under the new funding formula”

“The phasing in of important and much needed tax reform should put the ACT’s revenue base on a more sound footing”.

Mr Speaker, I reiterate, the Tax Reform Package makes the ACT’s taxation system fairer, simpler and more efficient.

- Fairer by reducing taxes for those on lower incomes;
- Simpler by removing some taxes and forming others; and
- More efficient because we are reducing the distortions on household spending and business activity.

Mr Speaker, the Government has not responded to each individual recommendation of Dissenting Report. However, we have provided a broad response to it.

In reviewing the Dissenting Report, I found it was confused, ultimately contradictory and an obvious demonstration of party politics in the lead up to the election. This report reinforces the fact that Messrs Smyth and Coe have treated the Committee process with cynicism and mockery.

Final Statement

Mr Speaker to conclude, the Report of the Estimates Committee and its recommendations do not raise any issues that would prevent the passing of the *Appropriation Bill 2012-2013*.

On behalf of the Government, I express thanks to the Committee for its consideration of these issues, and remind the Assembly of the important and essential investments being made through this Budget to support the continued growth and prosperity of the Territory.

Mr Speaker, I commend the Government Response to the Assembly.



**Government Response
to the Report of the
Select Committee on Estimates 2012-2013
on the inquiry into the
*Appropriation Bill 2012-2013***

**Andrew Barr MLA
Treasurer
August 2012**

INTRODUCTION

The Select Committee on Estimates presented its Report on the inquiry into the *Appropriation Bill 2012-2013* on Tuesday, 14 August 2012.

The Government thanks the Committee for its Report on the inquiry into the *Appropriation Bill 2012-2013*. The Committee has provided a report with 151 recommendations on a wide range of issues across all Government portfolios.

In its response, the Government has:

- agreed to 37 recommendations;
- agreed in principle to 31 recommendations;
- noted 63 recommendations; and
- not agreed to 23 recommendations.

Noting that three of the Committee's Recommendation contained 2 parts for which separate recommendations have been provided.

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

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

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

In terms of key economic variables, the Gross State Product forecasts were noted to be conservative and reasonable, taking into account the contractionary effects of the 2012-13 Commonwealth Budget.

Forecasts for inflation levels within the ACT were similarly noted as cautious and plausible. In particular, the Review noted that the ACT Government's decision to support economic confidence and growth through significant investment in the Territory's infrastructure was highly unlikely to reignite inflationary expectations.

The Review also responded positively to the *ACT Taxation Reforms*, particularly those elements which reduce the share of inefficient taxes and progressively increase the share of efficient taxes as a proportion of own-source revenue.

Given uncertainties regarding future GST allocations by the Commonwealth, the Centre for International Economics considered that these taxation reforms had been delivered “...at just the right time” to ensure greater stability in ACT revenues.

The Centre for International Economics is comfortable that the Budget attempted to identify and take account of a range of risks in preparing its forecasts and found a general consistency in Budget forecasts with historical experience.

The Review also assessed the savings plans contained in the 2012-13 Budget as modest and plausible, and overall they appear largely achievable despite some potential for ‘slippage’.

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

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

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

RESPONSE TO RECOMMENDATIONS

RECOMMENDATION 1

The Committee recommends that all ACT Government Ministers give consideration to providing, or allowing their directorate staff to provide, more detailed answers at hearings of the Legislative Assembly's estimates committees, including breakdowns of the allocations of funding within Budget output classes.

Government Response

Noted.

Directorate staff abide by the Select Committee *Privilege Statement* when appearing and answering questions of the Committee at hearings. If information pursuant to a question is not at hand or an accurate answer cannot be confidently provided, the question is taken on notice to ensure the Committee is not misinformed. The percentage of questions taken on notice did not vary substantially from previous years.

RECOMMENDATION 2

The Committee recommends that the ACT Government ensures that budget accountability indicators in ACT budget papers are useful and relevant.

Government Response

Noted.

As set out in the response to Recommendation 21, the Government considers that accountability in the annual Budget Papers are soundly based. Indicators – both strategic and accountability – are developed in accordance with the *Guide to the Performance Management Framework*, and are reviewed annually by agencies as part of the annual budget development process to ensure, among other things, that they are both useful and relevant.

RECOMMENDATION 3

The Committee recommends that all questions taken on notice, or placed on notice during the Inquiry of the Select Committee on Estimates 2012-2013 of the ACT Legislative Assembly be answered before the resumption of the Assembly's debate on the *Appropriation Bill 2012-2013 and the Appropriation (Office of the Legislative Assembly) Bill 2012-2013*.

Government Response

Noted.

The Government notes that as at 9 August 2012 only 10 of the total 629 questions either taken on notice or on notice are outstanding. Responses to these questions are being pursued.

RECOMMENDATION 4

The Committee recommends that the ACT Budget continue to be presented after the Federal Budget.

Government Response

Noted.

The scheduling of Budget delivery is a matter for consideration of the Executive.

RECOMMENDATION 5

The Committee recommends that the ACT Government review the process by which capital works projects are scoped as a means of minimising infrastructure project rollovers and delays in completing infrastructure projects.

Government Response

Noted.

The Treasury Directorate has initiated a review of the capital delivery framework, however, many project delays can occur due to matters outside of agency control, such as adverse weather conditions, prolonged approval processes or material/labour shortages.

RECOMMENDATION 6

The Committee recommends that section 11(1)(f) of the *Financial Management Act 1996 (ACT)* be amended to ensure that Cost of Living Statements take into account all matters in the Budget that will affect the cost of living for people living in the ACT.

Government Response

Noted.

The Cost of Living Statement provides information on the effect of direct taxes and fees on an ACT household and the concessions available to offset these costs. It is designed to highlight the impact of changes in major government and utility charges on a household. This includes information on general rates, the fire and emergency services levy, utility fees, motor vehicle registration and driving licences, and public transport costs, these all impact directly on households.

In preparing the Statement, the Government acknowledged that calculating the effect of taxes and fees for a single household can never capture the diversity of household formations in the community and differing patterns of consumption. It is, however, a transparent approach that provides meaningful and verifiable information to the community.

Including analysis of taxes and fees and other measures in the Budget that do not apply directly to a household could misrepresent their impact. The effect of these taxes, fees and other Budget measures on a household can vary significantly depending on its circumstances. The legal and economic incidence of taxes can also be different.

In addition to the Cost of Living Statement, the Budget Papers include transparent information on rates, exemption thresholds and increases to taxes and charges. This information is regularly updated on the ACT Revenue Office and other relevant websites. The Budget Papers also include a comparison of major taxes in the ACT and New South Wales.

RECOMMENDATION 7

The Committee recommends that, if the Territory Banking Account balance reaches zero, the ACT Treasurer should immediately advise the Legislative Assembly at its next meeting and detail the measures being taken to address the situation.

Government Response

Agreed.

RECOMMENDATION 8

The Committee recommends that the ACT Government review the implications of the increasing uptake of pension options rather than lump sum options on the unfunded defined benefit superannuation liabilities and report its findings to the Legislative Assembly.

Government Response

Not Agreed.

The impact of this trend is already included in the liability and cash flow projections set out in the 2012-13 Budget.

RECOMMENDATION 9

The Committee recommends that the ACT Government report to the ACT Legislative Assembly on the expected impact of the *Commonwealth v Cornwell* (2007) High Court of Australia decision on the Government's superannuation liabilities.

Government Response

Noted.

The impact of the Cornwell decision on the superannuation liabilities of the ACT Government is a complex matter and still under review. It is dependent on the circumstances of each potential case – the individual employment profiles of each case are varied and the ultimate liability for each may be subject to settlement/awarded damages and associated legal costs. Further there are significant legal, statutory and constitutional issues involved including, but not limited to, the transition to self government and the impact of the *Public Sector Management Act 1994* and its relationship with federal law. It is not possible to make reliable liability or monetary assessments at this time.

RECOMMENDATION 10

The Committee recommends that the ACT Government report to the Legislative Assembly on whether it will adopt the revised Accounting Standard AASB 119—Employee Benefits and the implications of any such decision for the 2012–13 Budget.

Government Response

Agreed.

The revised Accounting Standard AASB 119 – Employee Benefits is applicable to reporting periods beginning on or after 1 January 2013. The Accounting Standard will apply to the Territory from 1 July 2013 and the Territory will consider whether to adopt the revised accounting standard for the 2013-14 Budget.

RECOMMENDATION 11

The Committee recommends that the ACT Government determine a threshold for amounts that can be reported against line items of ‘other’ or ‘miscellaneous’ in budget papers, above which it will publish disaggregated data of what constitutes those items.

Government Response

Agreed in principle.

Treasury will consider further avenues to provide additional detail in these cases, and how this can be done whilst meeting the requirements of the Government Finance Statistics Uniform Presentation Framework. This may include expansion of the chart of accounts or further disclosure as provided in the 2012-13 Budget for “Other Miscellaneous Revenue” (Page p94 of Budget Paper 3).

RECOMMENDATION 12

The Committee recommends that the ACT Government inform the Legislative Assembly as soon as practicable if the total expected expenditure for the enlarged Cotter Dam construction project exceeds the current budget of \$404.63 million.

Government Response

Agreed.

The Legislative Assembly passed a motion on 21 March 2012 requiring the Shareholders of ACTEW Corporation to provide to the Assembly any further revised estimated total budgets or schedules for the Dam within five working days after they are approved by the ACTEW Board.

RECOMMENDATION 13

The Committee recommends that, given the changing nature of the gaming industry and marketplace, the ACT Government should inform the Legislative Assembly about the future of ACTTAB Limited.

Government Response

Agreed.

Recognising that ACTTAB is the smallest TAB in the country, the Government is committed to ensuring ACTTAB remains strategically positioned to cope in an increasingly competitive and changing market environment.

The Government is encouraged by ACTTAB's recent endeavours to improve its financial position including the implementation of a new betting system, enlisting several new VIP customers and successfully negotiating an extension of the existing pooling agreement with Tabcorp.

RECOMMENDATION 14

The Committee recommends that the Government should, wherever possible, support new social ventures.

Government Response

Agreed.

The Government is committed to undertaking social procurement, where practical and desirable, whether this is through engaging a social venture or via another mechanism. Social procurement is a complex augmentation of procurement processes and requires specialised knowledge and expertise to achieve sustainable outcomes. To achieve this, Shared Services Procurement has appointed a dedicated social (and sustainable) procurement officer to develop a centre of expertise and support social procurement in the ACT with the necessary intellectual capital and collateral.

As at May 2012, as part of the ACT Social Enterprise Hub, there were 15 social enterprises opened for business with nine more social enterprises in stages of development for opening in 2012. Disability ACT is also providing support to three social enterprises: Growing Abilities; Uniquely Us and Paperwork Inc.

The ACT Government has also released *Procurement Policy Circular PC02: Social Procurement* which provides advice on using procurement processes to add social value (for example, procuring goods and services only from suppliers who demonstrate socially responsible work practices, ethical business behaviour and equitable employment practices).

RECOMMENDATION 15

The Committee recommends that ACT Government Directorates be required to publish procurement plans that set out all intended procurement processes for the coming financial year.

Government Response

Noted.

Directorates' annual capital works programs are released through the call tender schedule and updated monthly. The schedule provides industry with up-to-date advice on upcoming tendering processes. The need for, and value of, an equivalent document for goods and services procurement will be assessed during the 2012-13 year.

RECOMMENDATION 16

The Committee recommends that the ACT Government undertake a full review of the delivery of services by the Shared Services Centre, utilising an activity based costing process.

Government Response

Noted.

The Government has recently undertaken two reviews into the Shared Services Centre through the Expenditure Review and Evaluation Committee process.

During 2010-11, the Expenditure Review and Evaluation Committee engaged LSI Consulting to complete a business process review of the Human Resources (HR) and Finance Functions in Shared Services. As part of this review, a number of recommendations were made to improve business processes and \$4.5 million of savings were identified.

A post implementation review was also undertaken into the Shared Services Centre to determine if the original goals and savings targets of the organisation had been achieved. This review also evaluated current roles and responsibilities and identified potential improvements to the Shared Services model.

RECOMMENDATION 17

The Committee recommends that the ACT Government report to the Legislative Assembly on its development of risk management and business continuity plans for the Government's information technology systems.

Government Response

Agreed.

The Treasury Directorate is currently reviewing risk management plans for Shared Services, as well as business continuity plans for the Government's critical ICT infrastructure and systems. This review is expected to be completed by November 2012, at which time the Plans will be provided to the ACT Government's Strategic Board, or the relevant sub-committee responsible, to review and endorse updated business strategies.

In addition, the ICT business continuity plan and disaster recovery plan will be reviewed by the Security and Emergency Management Branch (SEMB) of Justice and Community Safety Directorate, to ensure that there is alignment with other important emergency planning documents throughout government.

The Government will give an overview on progress by June 2013.

RECOMMENDATION 18

The Committee recommends that the ACT Government review its current approach to information and technology security against the Commonwealth Government's Protective Security Policy Framework.

Government Response

Agreed.

Currently Treasury via Shared Services ICT Security is working with Justice and Community Safety (JACS) Security and Emergency Management Branch (SEMB) on adopting the Commonwealth Government's Protective Security Policy Framework (PSPF). A review of the PSPF has been undertaken by the Security in Government Committee (SIGC) chaired by JACS who has endorsed the adoption of the framework. SEMB are progressing the adoption of the framework into the ACT Government through the update to the ACT Government's Protective Security Policy and Guidelines.

RECOMMENDATION 19

The Committee recommends that the ACT Government: (a) undertake a verification of the integrity and completeness of data in the ACT Government Contracts Register; and (b) implements a consistent approach to the entering of contractual information into the Register.

Government Response

Noted.

Consistent information about contracts across the Contracts Register is desirable and assists internal reporting and public scrutiny of contracts entered into by the Territory.

Enhancement of information presented on the Contracts register is an ongoing process of continuous improvement, and is expected to be enhanced during 2012-13 through education and awareness programs for directorates.

RECOMMENDATION 20

The Committee recommends that the ACT Government require Directors-General to provide to the Standing Committee on Public Accounts, within fourteen days of finalisation, the reasons for exempting the purchase of goods and/or services from public tender processes, where the value of the procurement activity is above \$500,000.

Government Response

Not agreed.

Reasons for exempting the purchase of goods, services and works from public tender processes are publicly available on the ACT Government Contracts Register. Additionally, Annual Reports for administrative units and public authorities must report on reasons for use of select tender procurement processes for contracts for external sources of labour and services with a value of \$200,000 or greater.

RECOMMENDATION 21

The Committee recommends that the Chief Minister and Cabinet Directorate work with all Directorates to improve Accountability Indicators across the ACT Public Service to ensure that they relate to each Directorate's respective objectives and the ACT Government's strategic objectives.

Government Response

Agreed.

The Government considers that its indicators, as published in its annual Budget Papers, are soundly based. Indicators – both strategic and accountability – are developed in accordance with the *Guide to the Performance Management Framework*, and are reviewed annually by agencies as part of the annual budget development process.

In doing this, the Government seeks to maintain an appropriate 'line of sight' through (as far as practical):

- comparability across previous budgets;
- alignment to Directorate and Government strategic objectives;
- transparency in the performance targets that are set.

To support this work, the Government released its Performance and Accountability Framework, *Strengthening Performance and Accountability: A Framework for the ACT Government* in February 2011. The Framework is focused on continuous improvement in Government operations and outcomes, including enhancing Government accountability and performance. The Chief Minister and Cabinet Directorate is already leading ongoing implementation of the Performance and Accountability Framework across Government.

RECOMMENDATION 22

The Committee recommends that the ACT Government develop a whole-of-government policy on the release of ACT agencies' internal audit reports.

Government Response

Noted.

It is crucial that internal audit reports are frank and robust and focussed on continuous improvement of service delivery or administration. The Government remains of the view that these reports should continue to be assessed on a case by case basis for release under the provisions of the *Freedom of Information Act 1989*.

RECOMMENDATION 23

The Committee recommends that the ACT Government provide the ACT Legislative Assembly with a detailed breakdown of the 180 Full Time Equivalent positions by which the ACT Public Service will be reduced in 2012–13. This should include allocation across directorates, classifications, and anticipated separation dates.

Government Response

Noted.

The nominal reduction of 180 positions set out in the Budget is an estimate of the overall savings target to be achieved by the ACTPS expressed as an equivalent number of full time positions (based on the average salary of an ACTPS staff member). Those targets may be met by any combination of natural attrition, vacancy or resourcing management or other non-staff related cost efficiencies. There will be no forced redundancies used to achieve the target and in fact, the ACTPS is expected to increase in size in net terms over the budget cycle.

RECOMMENDATION 24

The Committee recommends that the ACT Government should advise the ACT Legislative Assembly if the forecast reductions in growth in the ACT Public Service for 2012-13 will exceed the targeted 180 Full Time Equivalent positions.

Government Response

Noted.

Refer to response on Recommendation 23. Information on the size of the ACT Public Service is reported regularly in the Budget Papers, agency annual reports and the State of the Service Report.

RECOMMENDATION 25

The Committee recommends that the ACT Government continue to make representations to the Commonwealth Government on behalf of the Territory with a view to obtaining, at a minimum, matched funding from the Commonwealth for the 2013 Centenary of Canberra programme of celebrations.

Government Response

Noted.

Funding for the Centenary of Canberra has been discussed with the Commonwealth Government on a number of occasions.

RECOMMENDATION 26

The Committee recommends that the ACT Government inform the ACT Legislative Assembly with regard to the ACT Executive's mobile phone policy. This should include detail on policy guidance concerning: allocation—delineating between Ministers and ministerial staff, terms of use, acquittal of conditions attached to use, and payment plans.

Government Response

Noted.

Mobile services for the Executive are procured through the Mobile Phone Whole of Government Telecommunications Contract. The current provider is Optus. Policy guidelines on the use of laptops, mobiles, iPhones and Blackberries (including when travelling overseas) have been developed and are distributed to the Executive and staff.

RECOMMENDATION 27

The Committee recommends that the ACT Government review its procurement processes, particularly for civil construction projects, to better preference tenderers that prioritise work safety and fair wages and conditions and other initiatives that will improve the construction industry, such as worker training and employment of disadvantaged workers.

Government Response

Noted.

The Government takes work health and safety (WHS) and industrial relations matters seriously and is always seeking to improve its procurement model in relation to construction services, with a focus on ensuring robust and broad consideration of matters including the operational delivery of work health and safety commitments by successful tenderers.

An organisation's documented evidence of WHS management, as well as being mandatory for prequalification of contractors, is additionally included as a mandatory criterion for procurements where it is judged to be a significant factor. Contractors' past performance reports are also considered in the assessment of tenders.

The Government has implemented the *Compliance with Industrial Relations and Employment (IRE) Obligations Strategy* to help ensure that all organisations engaged on ACT Government construction sites are complying with their IRE obligations. Preferencing tenderers that have worker training and employment of disadvantaged workers initiatives is an aspect of social procurement, which the Government is implementing where practical. Some forms of contract used by the Government require these types of measures as a matter of course.

RECOMMENDATION 28

The Committee recommends that the ACT Government consult with Paramedics Australia regarding registration of paramedics as part of the National Health Practitioners Registration Scheme.

Government Response

Agreed.

The Health Directorate and the ACT Ambulance Service has already consulted with Paramedics Australia in relation to registration options of paramedics and will continue to consult with them until a National decision is made.

RECOMMENDATION 29

The Committee recommends that the ACT Government detail to the Legislative Assembly the scope and timetable for all the e-health initiatives.

Government Response

Agreed.

RECOMMENDATION 30

The Committee recommends ACT Health develop and report to the Legislative Assembly on the indicators it will use to measure the quality and the outcomes of care provided through the Canberra Hospital Emergency Department.

Government Response

Agreed.

The Government will provide a report for Assembly consideration noting the outcomes of the current processes underway to develop the basis for outcome measures for emergency department care. This process includes liaison with state and territory health authorities and a range of national bodies (such as the Australian Institute of Health and Welfare and the National Health Performance Authority).

The report will note the work needed to fully develop, define, collect and report on any proposed measures.

The Government will also take the results of this review to COAG for consideration in the establishment of new measures for Emergency Department care within the National Partnership Agreement on Improving Public Hospital Services.

RECOMMENDATION 31

The Committee recommends that the ACT Government engage with local midwife representatives to further develop an appropriate model for a stand-alone birth centre.

Government Response

Not agreed.

The planned sub acute hospital on the north side of Canberra will not have an associated nor a standalone birth centre as there needs to be provision for escalation upward to an acute facility for the purpose of managing obstetric emergencies.

The Canberra Hospital has a birth centre and Calvary Public Hospital will also be progressing a continuity of midwifery care model which will provide improved access to midwifery care.

RECOMMENDATION 32

The Committee recommends that the ACT Government continues to grow the proportion of health funding allocated to mental health services towards 12 per cent of the total ACT Budget.

Government Response

Agreed.

RECOMMENDATION 33

The Committee recommends that the ACT Minister for Health report to the Legislative Assembly on what level of in-patient services the ACT Government provides to adults suffering eating disorders, and where ACT residents go if they need a higher level of service.

Government Response

Agreed.

RECOMMENDATION 34

The Committee recommends the ACT Government advise the Legislative Assembly which local drug and alcohol services will be reduced as a result of cuts in Commonwealth funding, and what strategies will be implemented to cope with the unmet client need caused by these reductions.

Government Response

Not Agreed.

This matter should be referred to the Commonwealth Government.

RECOMMENDATION 35

The Committee recommends that all Alexander Maconochie Centre detainees with Hepatitis C have timely access to the Hepatitis C treatment, if they have the gene and body weight that makes them treatable with this treatment.

Government Response

Agreed in principle.

RECOMMENDATION 36

The Committee recommends that a needle and syringe program be trialled in the Alexander Maconochie Centre so as to prevent further spread of blood borne diseases.

Government Response

Agreed.

On 15th August 2012, the Chief Minister released a draft blood borne virus management strategy for the Alexander Maconochie Centre which includes a proposal for detainees to be given regulated access to sterile injecting equipment on a 'one-for-one' exchange basis with the medical officer having responsibility for the equipment exchange.

Consultation with industrial organisations on the proposed model for implementation will commence immediately to work through any concerns related to the model and to seek agreement with a view to the exchange being implemented in 2013.

RECOMMENDATION 37

The Committee recommends the ACT Government take greater steps to target anti-smoking campaigns and programs to low income and vulnerable people.

Government Response

Agreed in principle.

The Health Directorate will explore options within its current campaigns and programs to target low income and vulnerable people.

RECOMMENDATION 38

The Committee recommends that the ACT Government develop a men's health plan and appropriate associated literature to improve men's health in the ACT.

Government Response

Agreed in principle.

The ACT Government is supporting men's health issues in line with a national men's health policy statement and specifically in the ACT across the suite of existing health strategies and plans, including: Towards a Healthier ACT 2010-15, ACT Chronic Diseases Strategy 2008-11 (under revision), ACT Corrections Health Plan 2008-12, Managing the Risk of Suicide 2009-14, and the ACT Primary Health Care Strategy 2011-14.

RECOMMENDATION 39

The Committee recommends that the ACT Government provide the Legislative Assembly with a copy of the report on the review of Lymphoedema services as soon as it is available.

Government Response

Agreed.

This report was commissioned by Calvary Health Care and related largely to the services provided at Calvary. The Territory is working with Calvary and the Medicare Local to determine ways to provide best practice services to consumers. The outcome of this work will be provided to the Minister and the report and recommendations will be provided to the Assembly.

RECOMMENDATION 40

The Committee recommends the ACT Government establish more timely administration processes for Home and Community Care growth and indexation funds.

Government Response

Agreed.

30 June 2012 marked the end of the national joint funding program for Health and Community Care. After that date, the ACT became responsible for services to Canberrans under 65 years of age (and Aboriginal and Torres Strait Islander people under 50 years). Administration processes in conjunction with these services will continue to be refined over the coming year.

RECOMMENDATION 41

The Committee recommends that the ACT Government develop a long-term strategy for the provision of staff for geriatrician services in the ACT.

Government Response

Agreed.

RECOMMENDATION 42

The Committee recommends that the ACT Government establish a plan in consultation with ACTION to resolve the problems with accessing the Village Creek Centre by public transport.

Government Response

Agreed in principle.

The relevant agencies will continue to look at ways to improve access to Village Creek by public transport.

RECOMMENDATION 43

The Committee recommends the ACT Minister for Health update the Legislative Assembly on how and where funding from the National Partnership on a Commonwealth Dental Program will be targeted, and what changes will occur in delineation of staff roles.

Government Response

Agreed.

Once the detail is worked through with the Commonwealth a report will be provided to the Assembly.

RECOMMENDATION 44

The Committee recommends that the ACT Government report to the Legislative Assembly when the issue of outstanding employee entitlements for Calvary Public Hospital staff is resolved, as soon as that occurs.

Government Response

Agreed.

RECOMMENDATION 45

The Committee recommends ACT Health proactively establish networks and relationships between medical staff and private midwives at the Canberra Hospital so as to ensure birthing women, in the ACT, can access Medicare benefits for use of a private midwife pre- and post-birth.

Government Response

Agreed in principle.

The Health Directorate is liaising with the one known privately practicing midwife (PPM) to facilitate relationships with obstetricians and to foster engagement on her model of midwifery care. Professional Indemnity Insurance exemption for PPMs has now been extended to June 2015 and work has commenced nationally to develop collaborative relationships between PPMs and Health Services.

RECOMMENDATION 46

The Committee recommends that the ACT Government (a) include, in all future budgets, indicators for current and next year budgeted costs of various activities under the Territory and Municipal Services portfolio output classes; (b) investigate doing this for all Directorates; and (c) investigate providing this information online.

Government Response

Agreed in principle.

The Budget Papers provide for a breakdown of Output Classes into various Outputs within Budget Paper No. 4 and also provides details of the Total Cost and Government Payment for Outputs by these Outputs (See Output Classes Section of various agency chapters).

Treasury's Guide to the Performance Management Framework (updated July 2012), provides detailed advice and guidance on how to define outputs and output classes.

<http://www.treasury.act.gov.au/accounting/download/PMF%20Guide.pdf>

The Budget Papers provide significant details in relation to expenditure against outputs and output classes. This includes estimated projections and budgeted outcomes against output classes, change to costs and funding of outputs, and a range of performance indicators by output, appropriation tables, capital works tables, financial statements, including output class financial statements where relevant, and individual initiative descriptions.

The budget documentation of the ACT is of a high standard and is in line with the practices adopted by other jurisdictions.

RECOMMENDATION 47

The Committee recommends that, as part of its library strategy, the ACT Government ensures that most ACT residents live no further than three kilometres from an ACT public library.

Government Response

Not agreed.

The *Library Services Consolidation Project – ACT Library Service, September 2006* found most ACT residents lived within a 4 km radius of a public library. A few suburbs fall outside that, and are currently serviced by mobile libraries. In comparison, a major Victorian study, *Dollars, Sense and Public Libraries, 2011*, showed that 53% of Victorians in urban centres lived less than 5 km, and 20% lived over 16 km, from their nearest public library.

RECOMMENDATION 48

The Committee recommends that the ACT Government identify new areas in which to build bus priority/transit lanes and significantly increases its goal for new bus priority/transit lanes.

Government Response

Agreed in principle.

The Government has set out the future public transport corridors in the Transport for Canberra policy, released in March 2012. A program of public transport infrastructure is underway based on current appropriations and follows the rapid transit corridors in Transport for Canberra. Future public transport priority and/or transitways (including the City to Gungahlin corridor and the broader network) will be considered as part of future Budgets.

The Canberra Avenue Bus Priority project will include around 1km of new bus lane to be constructed in 2012-13. The performance measure for transit lanes will be updated to reflect this project.

RECOMMENDATION 49

The Committee recommends that the ACT Government present to the Legislative Assembly its current information about, and strategy for, freight movements in the ACT.

Government Response

Agree in principle.

The Government has committed to developing a Freight Strategy in 2013 as part of the Transport for Canberra policy. The final policy is expected to be presented to the Legislative Assembly.

RECOMMENDATION 50

The Committee recommends that the ACT Government informs the National Capital Authority of the views of ACT residents before any decision is made to permanently close the western end of Russell Drive.

Government Response

Noted.

Part of Russell Drive has already been closed. This was a Commonwealth Government decision.

RECOMMENDATION 51

The Committee recommends the ACT Government maintains funding for walking and cycling infrastructure in future ACT budgets.

Government Response

Agreed.

Transport for Canberra establishes mode share targets for cycling and walking (12.5 per cent of work trips by 2016 and 14 per cent by 2026) that will help inform future cycling investments, along with the new strategic cycle network plan being developed in 2012-13. Future cycling and walking investments will be subject to future funding decisions.

RECOMMENDATION 52

The Committee recommends that the different waste streams be reported on separately for the relevant output class in future budget papers.

Government Response

Agreed in principle.

The Government will examine ways of reporting on the different waste streams. This will be subject to data availability and resources.

RECOMMENDATION 53

The Committee recommends that the ACT Government implement a more accurate means of measuring waste generation per head of ACT population for reporting on the ACT NOWaste program.

Government Response

Agreed in principle.

A more accurate means of measuring and reporting waste generation will be investigated.

RECOMMENDATION 54

The Committee recommends that immediate action be taken to reduce the amount of organic waste becoming landfill.

Government Response

Noted.

The Government released the *ACT Waste Management Strategy 2011–2025* in December 2011 to set a clear direction for the management of waste in the ACT. The goal of the Strategy is to ensure that the ACT leads innovation to achieve full resource recovery and a carbon neutral waste sector. As the decomposition of organic waste in landfill is a major contributor to greenhouse gas emissions attributable to the waste sector, the Government has identified five strategies within the Waste Management Strategy specifically focused on reducing the amount of organic waste going to landfill, these are:

- 1.1 Awareness, education and action;
- 1.2 Support for community gardens and home composting;
- 2.2 Recover organic and residual waste resources;
- 2.3 Develop markets for organic and residual waste resources; and
- 4.2 Minimise organic waste to landfill.

The waste strategy aims to integrate complementary education, training and initiatives targeting industry and households as well as within schools and training institutes. The ACT has implemented a substantial suite of activities occurring in the realm of waste and sustainability education. ACT NOWaste education initiatives are estimated to reach over 10,000 people each year. The Australian Sustainable Schools Initiative is now active in all ACT Schools reaching some 66,000 students.

Nonetheless, the Government recognises more can be done in this area and new initiatives in the area of waste and sustainability education are currently being developed. The Government has commissioned a study by Associate Professor David Pearson of the University of Canberra to assess options to reduce food waste.

Community and home gardens provide an opportunity for households to reduce waste by composting organic waste and avoiding food waste associated with the commercial production and distribution of food.

The Government is supporting the development of community gardens in the ACT through:

- providing a single entry point website for community gardens matters (coordinated by the Territory and Municipal Services Directorate);
- including community gardens as a defined use for land in the Territory Plan;
- exempting community gardens on unleased Territory land from the need to gain development approval where they meet exemption criteria; and
- from 1 July 2012, waiving licence application fees for applications for community gardens.

Home composting is one of the most effective ways for households to divert their food waste from landfill. The Government is supporting home composting through its GardenSmart program that assesses residential gardens and provides advice on water use efficiency and sustainable practices and can provide a rebate for a composting bin or worm farm to eligible households.

The ACTSmart Business and ACTSmart Office programs provide assistance and accreditation to businesses and offices in the ACT to encourage and support the adoption of efficient waste management and recycling practices that divert paper, cardboard, food waste and other organics from landfill.

As of July 2012, 493 sites across the Territory are participating in these programs, including major shopping centres, fast food outlets, Canberra Stadium, Manuka Oval, Calvary Health Care and the Tuggeranong Hyperdome. Currently 85 sites are accredited, meeting the recycling standard set by the programs. Over 27,000 staff have access to the programs.

The Government is facilitating the provision of a dry-commercial-waste Material Recovery Facility (Commercial MRF) at the Hume Resource Recovery Estate. This facility is expected to be operational by 2014 and should divert between 40,000 and 70,000 tonnes of material from the landfill each year – the majority of this material will be organic.

The Government is planning to conduct market sounding this financial year to identify opportunities to recover organics and residual waste to create valuable products including energy. One option that will be explored through this market sounding is a residual-waste Material Recovery Facility (Residual MRF). Hyder Consulting (2011) identified a Residual MRF as the most effective way to recover residual organic waste in the ACT. A Residual MRF is a critical piece of infrastructure if the Government is to achieve its target of a carbon-neutral waste sector by 2020.

RECOMMENDATION 55

The Committee recommends that the ACT Government investigate including the collection of city recycling bins in future kerbside bin collection contracts.

Government Response

Agreed in principle.

Options for the collection of public place recycling bins will be investigated. The size and configuration of kerbside recycling vehicles mean it is not practicable for them to collect public place recycling bins from Town Centre locations.

RECOMMENDATION 56

The Committee recommends that recycling bins be installed in the other town centres apart from Civic.

Government Response

Agreed in principle.

Public place recycling in other town centres will be considered once the outcomes of the trial of public place recycling in the city centre have been assessed.

RECOMMENDATION 57

The Committee recommends that the ACT Government, in its tender evaluations, gives greater weighting to those tendering organisations that encompass social enterprises.

Government Response

Not agreed.

Under the *Government Procurement Act 2001* (the Act) the Territory must pursue value for money when undertaking procurement activity. Value for money is defined in the Act to mean 'the best available procurement outcome' and satisfying this obligation requires consideration of probity and ethical behaviour, management of risk, open and effective competition and optimising whole of life costs. The Government will use appropriate weightings to add social value to its procurements where practical; however, the evaluation of tenders will continue to be made on the basis of fitness for purpose, quality of goods, services and works, and the value for money achieved. This is consistent with evidence of practice from other jurisdictions in Australia.

The ACT Government has also released *Procurement Policy Circular PC02: Social Procurement* which provides advice on using procurement processes to add social value (for example, procuring goods and services only from suppliers who demonstrate socially responsible work practices, ethical business behaviour and equitable employment practices).

RECOMMENDATION 58

The Committee recommends that the Budget Papers should identify those budget allocations that are in response to recommendations from the ACT Commissioner for Sustainability and the Environment.

Government Response

Agreed in principle.

Treasury will consider further avenues to provide additional detail on this matter in the Budget Papers.

RECOMMENDATION 59

The Committee recommends that a review of pest management funding and outcomes be undertaken and appropriate funding be committed as soon as possible.

Government Response

Agreed in principle.

The Government continually reviews its pest management programs. The level of funding that is appropriate for pest management is assessed as part of the annual budget process. Additional funding was provided in the 2012-13 Budget for vertebrate pest management (Budget Paper 3, pg 116 refers).

RECOMMENDATION 60

The Committee recommends that the ACT Government inform the Legislative Assembly about the outcomes of discussions concerning the future of the operations at the Pialligo Stone Quarry.

Government Response

Agreed in principle.

The Government is continuing to work with the operator of the quarry on health and safety, licensing and environmental aspects.

RECOMMENDATION 61

The Committee recommends the ACT Government consider making additional Budget allocations, along with structural reforms and productivity gains, to the ACTION network to improve its bus frequency, coverage, and patronage, in line with sustainable transport targets.

Government Response

Agreed in principle.

The ACT Government will consider the funding requirements of the ACTION network, consistent with the Transport for Canberra strategy and within the context of its budget decisions.

RECOMMENDATION 62

The Committee recommends that ACTION survey ACTION bus service users to obtain an accurate picture of customer satisfaction with its services.

Government Response

Agreed.

RECOMMENDATION 63

The Committee recommends that the ACT Government undertake a post-implementation review of the ACTION MyWay ticketing system.

Government Response

Agreed in principle.

A number of aspects of the MyWay system are currently under review. This will inform future consideration of the need for a formal post implementation review.

RECOMMENDATION 64

The Committee recommends that the ACT Government outlines what data can be extracted from the ACTION MyWay information technology system and when further information regarding customer use of ACTION buses will be available from it.

Government Response

Agreed.

This is an ongoing process with information from the MyWay system being used for the new network that commenced from May 2012. MyWay data is being used for the forward planning of network changes planned for 2013.

RECOMMENDATION 65

The Committee recommends that the ACT Government provides its overarching strategy for the installation, design and maintenance of bus shelters along with the Government's response to this Report.

Government Response

Agreed in principle.

RECOMMENDATION 66

The Committee recommends that the ACT Government publicly discloses the value of the contract with Bus Advertising Media Pty Ltd within the ACT Contracts Register and, further, provides advice on this along with the Government's response to this Report.

Government Response

Not agreed.

This contract with Bus Advertising Media contains confidential provisions which prohibit the disclosure of the contract price on the basis that disclosure of this information would be "an unreasonable disclosure of personal information about a person and be an unreasonable disclosure of information about the business affairs of a person".

RECOMMENDATION 67

The Committee recommends that the ACT Government report to the Legislative Assembly the timeframe for the establishment of the southern cemetery.

Government Response

Agreed in principle.

The Government will provide information to the Legislative Assembly once decisions are finalised.

RECOMMENDATION 68

The Committee recommends that the ACT Government provides to the Legislative Assembly further information on how the Government is assured that it will be able to meet the budgeted employee expense targets in the forward estimate years of the ACT Budget 2012-2013.

Government Response

Noted.

Funding provided through the 2012-13 Budget is sufficient to meet the employee costs associated with the current enterprise agreements. The forward estimates incorporate increased funding provisions for future pay increases. It should be noted that future pay increases will be determined based on negotiations with relevant parties and the impact of these negotiations will be considered as part of future budget processes.

RECOMMENDATION 69

The Committee recommends that the ACT Government ensures that funding for special needs transport is maintained at current levels, at a minimum, plus increased for growth in the Consumer Price Index, and that the arrangements for the provision of this transport are advised to parents prior to the end of the 2012 school year.

Government Response

Noted.

Special needs transport will be maintained at current service levels.

A contract for provision of service is in place with transport providers, ACTION and Kayboa (Keirs) until 30 June 2014 with a possibility of extension of up to two years.

The 2013 transport renewal process will commence in October 2012. Parents will be informed about provision of service for 2013 by the end of the 2012 school year.

RECOMMENDATION 70

The Committee recommends that the ACT Government ensures that the savings initiatives required of the Education and Training Directorate are not directed at teaching numbers or school resourcing.

Government Response

Noted.

The 2012-13 savings initiatives will be achieved without directly impacting schools and school resourcing.

RECOMMENDATION 71

The Committee recommends that the ACT Government consider models of targeted funding and support for students with dyslexia, similar to that provided in NSW.

Government Response

Agreed.

The ACT Government is engaged in national reform in education funding as a partner with the Commonwealth Government and other states and territories.

The ACT Government has recently announced the establishment of a high-level Expert Taskforce on Learning Difficulties which will look at how to improve support for children in ACT public schools with learning difficulties. The Taskforce will undertake a formal evaluation of research and evidence and provide feedback to the Minister.

RECOMMENDATION 72

The Committee recommends that greater consultation occurs with the local community and the Duffy Primary School Parents and Citizens Association about the nature of the temporary measures and the longer term strategy for public schooling in the Weston Creek–Molonglo area.

Government Response

Noted.

The engagement with schools and their communities in the delivery of capital initiatives is an existing protocol.

The Education and Training Directorate is currently consulting with the Duffy Primary School community, including the Parents and Citizens' Association, in relation to planned upgrades at the school.

Principals will continue to communicate with their School Boards and Parents and Citizens' Associations about the strategy for public schooling in Weston Creek and Molonglo. This communication will include, when applicable, the development of new public schools in Molonglo.

RECOMMENDATION 73

The Committee recommends that the ACT Government report to the Legislative Assembly on the strategy and reporting regime for carbon neutrality in ACT Schools during this Assembly.

Government Response

Noted.

All ACT public schools are included in the Whole-of-Government *Carbon Neutral Framework* led by the Environment and Sustainable Development Directorate.

RECOMMENDATION 74

The Committee recommends that non-government schools are provided with ongoing recurrent funding to support students with disabilities.

Government Response

Noted.

Non-government schools will continue to be provided with specific recurrent funding to support students with a disability.

RECOMMENDATION 75

The Committee recommends that WorkSafe ACT undertakes a comprehensive review of the work performed by the Canberra Institute of Technology (CIT) to address workplace bullying within two months of the expiry of the Improvement Notice issued by WorkSafe ACT to CIT and that the ACT Government reports the results of this review to the Legislative Assembly.

Government Response

Agreed.

WorkSafe ACT will ask the CIT to provide it with a report outlining the organisation's progress to date in responding to WorkSafe ACT's Improvement Notice. WorkSafe ACT will assess the CIT's report and will provide a copy of the assessment to the Legislative Assembly.

RECOMMENDATION 76

The Committee recommends that the ACT Government reports to the Legislative Assembly in its first sitting period after the 2012 Election the outcomes of the ACT Commissioner for Public Administration's investigation into workplace bullying at the Canberra Institute of Technology (CIT).

Government Response

Noted.

The Commissioner for Public Administration has already given public undertakings to provide a public report of the investigations once they have been completed. The Commissioner has agreed to provide at least an interim report on progress in the next sitting period.

RECOMMENDATION 77

The Committee recommends that the ACT Government ensures that the ACT Commissioner for Public Administration's report on their investigation into workplace bullying at the Canberra Institute of Technology (CIT) include advice as to whether employees, whose complaints have been upheld, have been satisfactorily compensated for the medical and other costs they incurred due to the events that gave rise to their complaints.

Government Response

Noted.

The Commissioner for Public Administration is investigating individual complaints of alleged misconduct, as well as systemic issues in relation to the response to those complaints by CIT (including matters relating to workers' compensation). Compensation for medical and other costs incurred in relation to compensable employment matters is covered by the *Safety, Rehabilitation and Compensation Act 1988 (Cwlth)*. Individual complainants have a right to pursue reimbursement and compensation through the provisions of the Comcare scheme. Where the employee chooses not to invoke this option, directorates may assist the employee through reimbursements such as those mentioned.

RECOMMENDATION 78

The Committee recommends that the Canberra Institute of Technology (CIT) prepares a detailed strategy for the next four years that addresses how it would meet its 2012-13 priority of expanding and diversifying its revenue base.

Government Response

Agreed.

CIT will prepare a detailed four-year fiscal strategy to expand and diversify its revenue base.

RECOMMENDATION 79

The Committee recommends that the ACT Government reviews the approach taken by the Canberra Institute of Technology (CIT) to land valuation to determine whether it is consistent with the requirements of Australian Accounting Standards, and what, if any, impact this may have at a whole of government level.

Government Response

Not agreed.

The Independent Audit Report by the Auditor General of the 2011 Financial Statements of CIT concluded the Financial Statements were in accordance with the Australian Accounting Standards.

RECOMMENDATION 80

The Committee recommends that the ACT Government advises the Legislative Assembly on the outcomes of this review of the land valuation approach taken by the Canberra Institute of Technology (CIT), including whether a material write down of land across government is required.

Government Response

Not agreed.

Refer to response to Recommendation 79. All land in the Territory is subject to a valuation process and is independently audited by the Auditor General each financial year.

RECOMMENDATION 81

The Committee recommends that the ACT Government provide the results of the University of New South Wales review of the ACT Land Rent Scheme to the Legislative Assembly as soon as possible.

Government Response

Agreed.

RECOMMENDATION 82

The Committee recommends that the ACT Government detail the timeline for the key deliverables in the Canberra City Area Action Plan 2010–16.

Government Response

Noted.

Significant progress has been made in delivering outcomes described in the *Canberra City Area Action Plan 2010–16*. Fourteen of the 24 projects identified in Chapter 8 of the Plan will largely be completed by December 2012.

These projects include:

- Belconnen to City busway;
- The City Loop separated cycleway;
- Footpath and lighting improvements across the whole of Civic; and
- Parkland and public realm improvements to Veterans' Park, City West Park and City Walk.

Of the remaining projects, significant investigations and delivery strategies are being finalised.

Other measures for evaluating progress towards the 11 targets described in Chapter 5 of the Plan will be drawn from Australian Bureau of Statistics 2011 census data that is expected to become available at the end of 2012.

A more comprehensive report on the status of *Canberra City Area Action Plan 2010–16* will be provided for Government's consideration by March 2013.

RECOMMENDATION 83

The Committee recommends that the ACT Government outline what role Canberra CBD Limited will have in the development and implementation of the Canberra City Area Action Plan 2010–16.

Government Response

Noted.

The Government has extended Canberra CBD Ltd's (CCBD) contract for three years to 30 June 2015. CCBD is pivotal to the decision making framework described in Chapter 10 of the Plan. Specifically CCBD is a link between the private sector and Government that delivers outcomes that include:

- Promotional events such as *Skating in the City*;
- Embellishing the City with special lighting and hanging flower baskets;
- Supporting the AFP; the entertainment industry and the City's economy with the employment of late night taxi rank marshals;
- Capital investment partnerships with Government in projects such as Sydney and Melbourne Buildings, City West Park and London Circuit improvements.

Agencies are currently reviewing CCBD's three year *Strategic Plan 2012 to 2015* and its *Business Plan 2012-2013*.

RECOMMENDATION 84

The Committee recommends that the ACT Government provides accountability indicator targets and outcomes for all those events conducted in the ACT that receive significant funding from the ACT Government.

Government Response

Agreed.

For major events that have an economic impact and budgeted funding in excess of \$1 million. In regards to Enlighten, accountability indicators will be in place for the next budget period.

RECOMMENDATION 85

The Committee recommends that the ACT Government immediately release the Gungahlin Strategic Offsets Package.

Government Response

Not agreed.

The *Gungahlin Strategic Offsets Package* (GSOP) has been superseded by the *Environment Protection and Biodiversity Conservation Gungahlin – Strategic measures to avoid, mitigate and offset impacts of development* (GAMO), April 2012. The GAMO cannot be released immediately. The GAMO will form one part of the Gungahlin Strategic Assessment under the *Environment Protection and Biodiversity Conservation Act 1999*.

The GAMO, developed in consultation with the Environment and Sustainable Development Directorate, includes a detailed analysis of the environmental opportunities and constraints on development in Gungahlin. Significant amounts of environmentally valuable land are proposed to be set aside and incorporated into reserves or managed under Land Management Agreements where appropriate.

The Government is currently pursuing the process and governance arrangements for the Strategic Assessment. Once this has been finalised, the GAMO will be made available for public comment as part of the Strategic Assessment process.

RECOMMENDATION 86

The Committee recommends that the ACT Government detail to the Legislative Assembly how it proposes to deliver serviced land to the market in line with its land release targets.

Government Response

Noted.

The Government utilises three primary documents, published each year, for establishing and delivering its land release targets. These are the Four Year Indicative Land Release Program which establishes the targets and is released with the Budget, the Statement of Government Policy which sets out the priorities and expectations for delivery of land against those targets, and the Land Development Agency's Statement of Intent which responds to those priorities and expectations and provides detail on where the government intends to deliver the serviced blocks required to meet those targets.

Recently, the Government has been unable to meet its published targets due to unanticipated delays in securing environmental clearances. While some work still remains in securing these clearances, the Government has been working closely with the Commonwealth, through the Department of Sustainability, Environment, Water, Population and Communities (SEWPAC) to obtain them.

In order to obtain environmental clearance for the remaining areas of Gungahlin, a Strategic Assessment referral to SEWPAC (excluding Moncrieff, Throsby Playing Fields and School site) has been initiated by the Economic Development Directorate. The Strategic Assessment is currently under review to ensure it meets the requirements of the Commonwealth's Strategic Assessment Guide and to include local environment and conservation matters for context and ACT assessment requirements. This process is expected to be completed by mid 2013 to allow the release of land in Kenny and Throsby in 2013-14.

The release of land in Moncrieff in 2013-14 is on track with environmental clearances being dealt with using the bilateral agreement between the ACT and Commonwealth Governments.

Environmental clearance for Lawson is imminent with both Commonwealth and ACT clearances expected within the coming months. This will allow the release of 1,100 dwelling sites, commencing in early 2013.

Land releases in Coombs will continue in 2012 and 2013 as all clearances have been obtained. Englobo land releases in Molonglo stage 2 are on track for release in early 2013 with final requirements of the Molonglo National Environmental Significance plan being dealt with.

Through these negotiations with the Commonwealth, the Government is expecting strong progress towards the achievement of the targets published in its Indicative Land Release Program.

RECOMMENDATION 87

The Committee recommends that the ACT Government assess and report to the Legislative Assembly on whether the current machinery of government arrangements for land releases, infrastructure development and planning approvals in the ACT are delivering optimal outcomes.

Government Response

Noted.

The implementation of the new administrative arrangements following the Hawke Review of the ACT public service rationalised the number of agencies involved in the land release process and led to the creation of the Economic Development Directorate (EDD) and the Environment and Sustainable Development Directorate (ESDD). Since the establishment of these new directorates, further steps have been taken to strengthen processes and enhance clarity around roles and responsibilities for land release, including the development of a Memorandum of Understanding (MOU) between EDD and ESDD and New Governance Arrangements for the Land Development Agency (LDA). As a result, the Government is satisfied that the current machinery of government arrangements for land releases, infrastructure development and planning approvals in the ACT are delivering optimal outcomes.

RECOMMENDATION 88

The Committee recommends that the ACT Government develop a strategy for long-term tourism needs in respect of accommodation, attractions and events and in doing so consider the Western Australian Government-Tourism WA strategies addressing the same needs.

Government Response

Noted.

The Government is committed to addressing the challenges facing the tourism industry in the ACT as part of the National Tourism 2020 initiative. Tourism 2020 is a national framework to enhance growth and competitiveness in the tourism industry. Endorsed by all State and Territory Tourism Ministers, it brings the existing work, research and collaboration between industry and governments into a single plan – one that links tourism supply with demand issues.

Australian Capital Tourism is in the process of developing an ACT specific Tourism 2020 strategy. With the current five year strategic plan due to expire in 2013, commitments under the Tourism 2020 framework will guide the development of ongoing strategic priorities for the Government and industry.

RECOMMENDATION 89

The Committee recommends that the ACT Gambling and Racing Commission, as part of its review of the Code of Practice, consider excluding staff of newsagents from the general restriction on staff of gambling facilities taking part in gambling at those facilities.

Government Response

Agreed.

This is currently being undertaken as part of the Gambling and Racing Commission's review of the Code of Practice.

RECOMMENDATION 90

The Committee recommends that the ACT Government develop a plan to address the long-term accommodation needs of community legal centres.

Government Response

Noted.

The provision of accommodation services to community legal services is not a core function of the ACT Government. However, the Government assists Community Legal Centres (CLCs) as far as practicable to operate in an adequate, affordable environment.

On 27 March 2012, the Attorney-General tabled the Government's study of options and feasibility for a community legal centre hub. The study included a number of options for accommodation of CLCs.

The Government provided in the 2012-13 Budget \$666,000 over 3 years from 2013-14 to help the Women's Legal Centre find new accommodation, which in turn provides more space for the legal services that will remain in Havelock House, the Welfare Rights and Legal Centre and Tenants Union. Work is currently underway to identify a suitable location.

RECOMMENDATION 91

The Committee recommends that the ACT Government publish summaries of the statistics produced from the ACT crimes sentencing database once it is operational.

Government Response

Noted.

Sentencing information and statistics available through the ACT Sentencing Database will be determined as part of the development and implementation of the database. The Committee's recommendation will be taken into consideration in developing and implementing the database.

RECOMMENDATION 92

The Committee recommends that before making significant changes to court fees in the future, the ACT Attorney General consult with the legal profession.

Government Response

Agreed in principle.

The Government will endeavour to consult with the legal profession in relation to changes to court fees to the extent possible, given the need to make decisions as part of annual budget processes.

RECOMMENDATION 93

The Committee recommends that the ACT Government present to the Legislative Assembly the records on the number of times that fire brigade and ambulance stations have been closed over the last two financial years due to there being insufficient staff because the staff are on leave and/or training exercises.

Government Response

Agreed.

ACT Ambulance Service (ACTAS) station closures are normally the result of short notice unplanned personal leave. A number of strategies are used by the ACTAS to cover short notice unplanned personal leave, including amending roster placements, overtime shifts, use of permanent part-time and casual staff and redeployment of appropriately qualified staff from other areas. The following information is provided in relation to ACTAS station closures over the last two financial years:

- From 1 July 2011 to 30 June 2012, ACTAS had one (1) full shift station closure and one (1) part shift station closure; and
- From 1 July 2010 to 30 June 2011, ACTAS had seventeen (17) full shift station closures and nine (9) part shift station closure.

There has been no instance of ACT Fire & Rescue (ACT F&R) station closures due to staff on leave and/or training exercises for the last two financial years. Crews who are required to undertake training whilst on duty at operational response stations are available for response during such training.

RECOMMENDATION 94

The Committee recommends that the ACT Government present to the Legislative Assembly the policy on closures of fire brigade and ambulance stations, including what provisions are made for fire and ambulance call-outs during these closures.

Government Response

Not agreed.

Neither ACTF&R or ACTAS maintain a formal policy on closure of stations, given the infrequency that this issue arises. As discussed above (Recommendation 93), ACTAS station closures are normally the result of short notice unplanned personal leave. A number of strategies are used by the ACTAS to cover short notice unplanned personal leave, including amending roster placements, overtime shifts, use of permanent part-time and casual staff and redeployment of appropriately qualified staff from other areas.

RECOMMENDATION 95

The Committee recommends that the ACT Government provide information on the planning being undertaken to ensure that there are sufficient numbers of police now and in future years.

Government Response

Agreed.

The development and ongoing use of a Police Demand and Resource Model is provided for in the Purchase Agreement between the ACT Minister for Police and Emergency Services, Commissioner of the Australian Federal Police and the Chief Police Officer for the ACT for the provision of policing services to the ACT 2012-2013 (Purchase Agreement).

As stated in the Purchase Agreement, once finalised, the Police Demand and Resourcing Model (Model) for the ACT may be used as a tool to assist in analysing options for police staffing and in problem resolution. The Model may also be used by the ACT Government and ACT Policing as a strategic tool to inform submissions in relation to determining future police resources to respond to changing demands, trends and policy impacts on policing in the ACT.

RECOMMENDATION 96

The Committee recommends that the ACT Government report in annual reports (a) the number of detainees held in the Crisis Support Unit at the Alexander Maconochie Centre for longer than two weeks; and (b) a breakdown of the numbers of detainees in terms of gender, identification as Aboriginal and/or Torres Strait Islander, and other pertinent sociodemographic categories.

Government Response

Agreed in principle.

ACT Corrective Services is able to collect this data. ACT Corrective Services will include a report on the operation of the Crisis Support Unit on an annual basis in the JACS Annual Report. It is not appropriate to publically report as recommended given that the two week time period appears arbitrary and a breakdown of detainee numbers by socio-demographical data may risk individual detainees being identified, particularly in the case of female detainees.

RECOMMENDATION 97

The ACT Government commission an independent review of the procurement process that led to the acquisition of the Radio Frequency Identification (RFID) system at the Alexander Maconochie Centre.

Government Response

Not agreed.

The Territory and the service provider co-operated in an endeavour to implement a fully functioning system – despite issues with the reliability of those devices used to track detainees. When it became apparent that the service could not be delivered consistent with the requirements of the contract, the Territory withdrew the detainee tags from operation and negotiated a variation to the contract to allow the ongoing provision of the staff and visitor duress alarm system until alternatives are identified.

RECOMMENDATION 98

The Committee recommends the ACT Government provide a date by which the gymnasium, chapel and quiet place facilities will be constructed and available to detainees at the Alexander Maconochie Centre.

Government Response

Not agreed.

Construction of a purpose built gymnasium, chapel and quiet place facilities will be subject to future budget considerations and other budget priorities.

RECOMMENDATION 99

The Committee recommends that the ACT Government report to the Legislative Assembly what generic counselling is currently available to detainees at the Alexander Maconochie Centre, and what future counselling will be made available and by what date.

Government Response

Agreed.

There is a range of both health-related and other counselling services operating at the AMC for detainees.

ACT Corrective Services and community-based agency services provide relationships counselling (through Relationships Australia), social, emotional and wellbeing counselling for Indigenous detainees (through Winnunga Nimmityjah Aboriginal Health Service), 'yarning' group sessions for Indigenous male detainees (through Relationships Australia), and substance dependency counselling (through Alcoholics Anonymous and Narcotics Anonymous). Other counselling is provided on a referral basis by Marymead (in regard to parenting), Care Financial Counselling Services, the Service Assisting Male Survivors of Sexual Assault (for men) and the Rape Crisis Centre (for women).

ACT Corrective Services has recently commenced work with Mission Australia in regard to counselling for gambling addiction. A pilot program commenced at the start of August.

RECOMMENDATION 100

The Committee recommends that the ACT Government not impose a co-contribution on the community sector to fund the Community Sector Reform Program.

Government Response

Not agreed.

The community sector co-contribution is an important component of an overall reform program that in many respects represents a partnership for reform between the Government and the sector. The majority of the resources raised through the co-contribution are being pooled in order to be returned to the sector to support improvements in sector development and in strengthening sector governance. Through the role of the Community Sector Reform Advisory Group, there is significant sector input into how the resources are used to deliver benefits to the community sector.

The Government has exempted from the co-contribution the smallest organisations (in terms of funding, 40 per cent of the sector) and has also exempted payments that pass directly, via the sector, to vulnerable Canberrans. The Government has committed to returning the benefits of the reform program to the community sector. These benefits will significantly outweigh the cost of the co-contribution.

RECOMMENDATION 101

The Committee recommends that the ACT Government determine and report to the ACT Legislative Assembly the number of people with disabilities who will need training in self-advocacy and decision-making to make optimal use of the National Disability Insurance Scheme, and the ACT Government's plans to fund and implement that training.

Government Response

Noted.

The ACT Government continues to work with the disability community to determine the further supports and services needed to assist people with disability in self advocacy and decision-making. The Government also looks forward to working in partnership with the Commonwealth Government on the ACT launch site implementation. Reporting arrangements are not yet finalised.

RECOMMENDATION 102

The Committee recommends that the ACT Government make the pilot Therapy Assistance Program an ongoing program, with a view to increasing the number of schools, including non-government schools, who can access this program.

Government Response

Noted.

The Government will continue to monitor the progress of this program and consider how therapy input can best be integrated as an ongoing program into the school setting. Further expansion of the program will be dependent on future budget considerations.

RECOMMENDATION 103

The Committee recommends that a list of childcare providers granted temporary and permanent waivers from staff qualification, space or other requirements are made accessible on the Community Services Directorate website.

Government Response

Noted.

For education and care services continuing to operate under the *Children and Young People Act 2008*, Temporary Standards Exemptions continue to be publically notified on the ACT Legislation Register.

For education and care services operating under the *Education and Care Services National Law (ACT) Act 2011*, the ACT Government will make a decision whether to publish information about waivers once the National Law is in effect in its entirety and consultation has occurred with stakeholders including the education and care sector, other jurisdictions and the National Authority Australian Children's Education and Care Quality Authority (ACECQA).

RECOMMENDATION 104

The Committee recommends that the ACT Minister for Aboriginal and Torres Strait Islander Affairs not make decisions about whether organisations are Aboriginal and/or Torres Strait Islander on the basis of unsubstantiated statements.

Government Response

Not agreed.

The Minister supports the intent of the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* and its subsequent test of Indigeneity as a way of ensuring Aboriginal and Torres Strait Islander ownership of organisations that claim Indigeneity and provide services to the Aboriginal and Torres Strait Islander people.

The Minister for Aboriginal and Torres Strait Islander Affairs also supports the right of Indigenous communities to self-determination as ratified by the Australian Government in the UN Declaration on the Rights of Indigenous Peoples, especially Article 33. The view of an Indigenous community of whether an organisation is an Aboriginal or Torres Strait Islander organisation is an expression of that right.

RECOMMENDATION 105

The Committee recommends that the ACT Government work with the Aboriginal community in the ACT to foster the development of capacity for Aboriginal organisations to provide housing and housing support services to Aboriginal people.

Government Response

Noted.

The ACT Government has committed to working and supporting all Aboriginal and Torres Strait Islander organisations within the ACT. The ACT Government is committed to addressing Aboriginal and Torres Strait Islander disadvantage by providing equity and access to appropriate housing outcomes.

The ACT Government will continue to assist Aboriginal and Torres Strait Islander organisations to be well run and will assist in the provision of training for leaders and encourage strong leadership in communities.

The Aboriginal and Torres Strait Islander Elected Body are assisting the ACT Government in the development of housing and housing support for Aboriginal and Torres Strait Islander Canberrans.

RECOMMENDATION 106

The Committee recommends that the ACT Government open discussions with Billabong Aboriginal Development Corporation about whether it is interested in once again providing a social housing service to Aboriginal people in the ACT with ACT Government support.

Government Response

Noted.

Billabong Aboriginal Development Corporation still provides social housing to Aboriginal people in the ACT. There is a relationship with the ACT Government regarding three of those properties. Billabong Aboriginal Development Corporation will be supported to undertake Registration as a Not for profit Housing Provider at anytime of their choosing, or to participate in the Social Housing Register.

RECOMMENDATION 107

The Committee recommends the ACT Government review the current secretariat support offered to the ACT Aboriginal and Torres Strait Islander Elected Body.

Government Response

Noted.

The ACT Government will continue to review the appropriateness of resources for this function, noting any new initiatives will be considered in the normal budget context.

RECOMMENDATION 108

The Committee recommends that the ACT Government engage and consult with the ACT Aboriginal and Torres Strait Islander Elected Body on a more frequent and regular basis.

Government Response

Agreed.

The Aboriginal and Torres Strait Islander Elected Body continues to influence policy and funding decisions with its regular meetings with Directors-General of Government Directorates.

All Government Directorates will make arrangements that facilitate the participation of the Aboriginal and Torres Strait Islander Elected Body early in their respective policy development processes.

The Elected Body will have the opportunity to give input in the Budget Consultation process run by the Treasury Directorate. It would be expected that the Elected Body use this process to give Government their views and suggestions on how to prioritise and efficiently allocate resources in the areas of service delivery and capital expenditure. The Community Services Directorate will assist the Elected Body to understand the ACT Budget process and timeframes.

RECOMMENDATION 109

The Committee recommends that the Community Helping Aboriginal Australians to Negotiate Choices leading to Employment and Success program (CHANCES) be provided with at least two-yearly recurrent funding, with appropriate evaluation mechanisms, to provide some certainty to staff, partner agencies, and clients.

Government Response

Noted.

The CHANCES Program is currently being evaluated and subsequent funding will be considered in the 2013-14 Budget process.

RECOMMENDATION 110

The Committee recommends the Community Services Directorate develop indicators for the Office for Ageing which show how the ACT Government is meeting its key plans in policy and programs for ageing.

Government Response

Noted.

The ACT Strategic Plan for Positive Ageing 2010-2014 provides a blueprint for a coordinated approach across Government and the community to support positive ageing and an age-friendly city where older people are respected, valued and supported to actively participate. The draft 2012-2014 Action Plan identifies specific actions against seven priority areas that closely align with the World Health Organisation's (WHO) Checklist of Essential Features of Age-Friendly Cities. These include: information and communication; health and wellbeing; respect, valuing and safety; housing and accommodation; support services; transport and mobility; and work and retirement. Directorates report against relevant Action Plan performance indicators and actions in their Annual Reports as part of normal business reporting against the ACT Strategic Plan for Positive Ageing. Actions are undertaken within existing resources.

As a member city of the WHO Global Network of Age Friendly Cities, Canberra must demonstrate its commitment to creating an inclusive and accessible urban environment that benefits its ageing citizens. This involves submitting a progress report that addresses eight key areas of city living, for example, outdoor spaces and buildings, civic participation and employment.

Key indicators used in the biannual Canberra age-friendly city survey align with performance indicators of the Strategic Plan for Positive Ageing and will be used to provide a useful measure of long term change.

RECOMMENDATION 111

The Committee recommends that the ACT Government commence a master planning process for the Kingston Arts Precinct that considers all options for the Fitters' Workshop.

Government Response

Not agreed.

The Master Planning process for Kingston Section 49, colloquially referred to as the Kingston Cultural Precinct, was undertaken by the Land Development Agency from July to December 2011. The draft Master Plan area included the Arts Precinct and developed an option for the location of the arts precinct based on planning requirements identified in the Kingston Arts Precinct Strategy. The draft Master Plan did not identify uses for the Fitters Workshop; rather it was identified as an Arts facility. The draft Master Plan was presented to the Minister for Economic Development in December 2011; however, it was considered appropriate to await the decision on the future use of the Fitters Workshop before presenting the draft Master Plan to Government

RECOMMENDATION 112

The Committee recommends that the ACT Government release all documents connected with existing Kingston Arts Precinct planning and consultation processes.

Government Response

Noted.

A large number of documents have already been released including as part of the Assembly Committee Inquiry into Future use of the Fitters' Workshop. The Land Development Authority commissioned consultation has yet to be considered by Government.

RECOMMENDATION 113

That the ACT Government investigate the suitability of existing accountability indicators for the Arts portfolio and amend or remove indicators as necessary.

Government Response

Noted.

Changes made to accountability indicators in 2012-13 reflect program changes and provide clarity to the activities that artsACT now deliver.

RECOMMENDATION 114

The ACT Government consider supporting the community group proposal it has received to develop a rural fire service museum that would be housed in the former Nolan Gallery.

Government Response

Agreed in principle.

An exhibition to showcase the history of the ACT Rural Fire Service is supported in principle. The ACT Rural Fire Service will establish a working group to explore this proposal.

RECOMMENDATION 115

The Committee recommends that the ACT Government commence the tender process for a therapeutic protection facility.

Government Response

Not agreed.

The Government has gone to tender for this service on two previous occasions.

The Government is currently reconsidering the service model for therapeutic protection.

RECOMMENDATION 116

The Committee recommends that the ACT Government ascertain the number of informal kinship carer arrangements in the ACT to understand the total scale of kinship care arrangements and their support needs.

Government Response

Not agreed.

The Community Services Directorate prioritises the statutory responsibilities of Care and Protection Services to ensure all children and young people in kinship placements through statutory services are provided with adequate support. Children and young people in informal family arrangements are not within the scope of this work. However, the Government operates and funds a range of services that can support informal carers and families more generally. Significant effort and outlay would be required to accurately quantify the extent of informal care arrangements in the ACT. This is not deemed the best use of available resources.

RECOMMENDATION 117

The Committee recommends that the ACT Government report as part of the Government's response to this Inquiry report the extent of the involvement of the Expert Advisory Panel in the development of the Blueprint for Youth Justice.

Government Response

Agreed.

The Youth Justice Advisory Panel (the Advisory Panel) has given clear advice to the Youth Justice Implementation Taskforce (the Taskforce) that it sees its role centred on the development of an evaluation framework for the Blueprint for Youth Justice in the ACT, including the development and monitoring of outcome measures and performance indicators. The Advisory Panel will have a role in monitoring the implementation of identified actions under the Blueprint.

Members of the Advisory Panel first met with the Taskforce in late May 2012 to discuss the direction of the Blueprint and key strategies that would underpin it. The Advisory Panel further participated in a half-day workshop on 5 July 2012, in which they reviewed the draft Blueprint. The workshop included a two-hour session with the Taskforce to discuss their comments. The Blueprint was revised following the workshop and the Advisory Panel was provided a further opportunity to comment on the revised Blueprint.

RECOMMENDATION 118

The Committee recommends that the ACT Government outline their strategy for increasing public housing stock.

Government Response

Noted.

The strategy for increasing public housing stock is based on the principles established in the *Public Housing Asset Management Strategy 2012-2017*. The preference is to construct public housing dwellings, though properties may be spot purchased to meet demand. The construction program consists of small scale developments, such as a second unit being constructed on an existing block; through to larger scale projects which ensure that larger concentrations of public housing are progressively redeveloped ensuring the stock is well located across the city and in areas with good access to public transport, employment, education and services.

Housing ACT also purchases land in new suburbs and areas, such as Gungahlin, which also enhances the supply of public housing in such areas.

RECOMMENDATION 119

The Committee recommends that the ACT Government clearly inform community sector organisations about the procedures and guidelines for minimum rental debt repayments by ACT public housing tenants.

Government Response

Agreed.

The ACT Government will work closely with community sector organisations to ensure that they have a better understanding of the procedures and guidelines for minimum rental debt repayments by ACT public housing tenants. It should be noted that Housing ACT's debt management policy and fact sheet on rental arrears are available on the Community Services Directorate's website. The rental arrears fact sheet is also included in the tenants' sign up kit.

RECOMMENDATION 120

The Committee recommends that the ACT Government implement the recommendation from the Targeted Assistance Panel that the ACT Government use debt waiver and partial debt waiver as a form of assistance where people have little or no capacity to pay, and where the debt would prolong or compound financial hardship.

Government Response

Agreed in principle.

The Government has already implemented part of these recommendations relating to more flexibility in the payment of fees and fines. The Government introduced legislation which, along with a private members bill, will provide from late May 2013 more options in payment of parking and traffic infringements, including waivers. The recommendation relating to full and partial debt waiver was listed in the Targeted Assistance Strategy Report as a medium term recommendation. This reflected the time required to support implementation, including the development of new guidelines about how the new arrangement would work. This also includes how eligibility will be assessed.

The Government will be considering this issue in detail shortly.

RECOMMENDATION 121

The Committee recommends that the ACT Government (a) provide updates, in Annual Reports, on the performance of the ACT Government's Total Facilities Management contract in respect of employment of young people, people with disabilities, public housing tenants, and people with an Aboriginal or Torres Strait Islander background; and (b) consider whether the Government should contract a specialist provider of employment support services to people experiencing disadvantage to discharge this component of the Total Facilities Management contract.

Government Response

Part a) Agreed; Part b) Not agreed.

The safeguards, targets and controls included in the Total Facilities Management contract are sufficient to ensure that Spotless meet the targets to employ the cohorts under the contract. Spotless has consistently achieved or exceeded the contractual targets for the economic participation of Aboriginal and Torres Strait Islanders, public housing tenants and people with a disability. Housing and Community Services will closely monitor performance, and sees a benefit in publishing the performance results in annual reports.

RECOMMENDATION 122

The Committee recommends the ACT Government ensure Firstpoint is provided on a 24 hour, seven days a week basis.

Government Response

Not agreed.

The ACT Government does not agree that there is a requirement for First Point to be a 24 hour service.

RECOMMENDATION 123

The Committee recommends that the ACT Minister for the Environment and Sustainable Development create a new restricted plumbing licence for landscapers under the *Construction Occupations (Licensing) Act 2004 (ACT)*.

Government Response

Noted.

Revising the current licensing policy would require regulatory impact analysis and consultation with all affected parties to determine the costs and benefits of new regulation, which would include consultation with peak bodies in the plumbing and landscaping industry in the ACT. The Minister has asked the Directorate to examine the issues and provide advice on proposals to change the existing regulation to the industry.

RECOMMENDATION 124

The Committee recommends that the ACT Government advise the Legislative Assembly, by the last sitting day of this Assembly, how it will improve the timeliness of the ACT's Development Application processes.

Government Response

Noted.

The Government's response to the 'Auditor-General Report No. 4 Development Application and Approval System for High Density and Commercial Developments' will be provided to the Standing Committee on Public Accounts (PAC), consistent with agreed procedure for Auditor-General Reports. Following the PAC's consideration of the response, it will be tabled in the Assembly at the earliest opportunity.

RECOMMENDATION 125

The Committee recommends that the ACT Government provide the Legislative Assembly by the last sitting day of this Assembly with the list of master planning processes to be undertaken during the 2012-13 financial year.

Government Response

Noted.

A list of the master plans to be undertaken in the 2012-13 financial year can be tabled in the Assembly.

RECOMMENDATION 126

The Committee recommends that the ACT Government immediately prepare specific guidelines for the conservation and management of the Tralee and Couranga Homesteads.

Government Response

Noted.

The independent Heritage Council is responsible for the preparation of Heritage Guidelines under section 25 of the *Heritage Act 2004* (the Act). The introduction of the Act in 2005 replaced specific conservation requirements embedded in Register Entries with generic Heritage Guidelines. This approach is consistent with the nationally accepted principle of separating the identification and assessment of heritage values prior to determining how a heritage place should be managed and conserved.

The issue as to whether Heritage Guidelines are required for Tralee and Couranga Homesteads or whether Heritage Guidelines for rural places generally will be raised with the Heritage Council for their consideration. A further alternative may be the preparation of a conservation management plan by the asset owner. Under section 110 of the Act, the Council may direct a public authority to prepare a conservation management plan for a heritage place or object for which the authority is responsible.

What priority this work will be afforded is determined by the Heritage Council.

RECOMMENDATION 127

The Committee recommends that the ACT Government publish criteria for use in determining when a conservation management plan should be prepared for heritage listed properties.

Government Response

Noted.

Under section 110 of *Heritage Act 2004* (the Act), the Heritage Council may direct a public authority to prepare a conservation management plan (CMP) for a heritage place or object for which the authority is responsible. There is no provision under the Act for the Heritage Council to direct a private owner to prepare a CMP.

In order for a conservation management plan to be considered by the Heritage Council in providing its advice on a development application, the CMP must first be endorsed by the Heritage Council.

The Government will raise the issue of developing criteria to assist heritage owners to determine when CMPs should be prepared for heritage listed properties with the Heritage Council for their consideration. What priority this work will be afforded is determined by the Heritage Council.

RECOMMENDATION 128

The Committee recommends that the ACT Government (a) expedite current discussions between the Heritage Unit in the Environment and Sustainable Development Directorate and the ACT Planning and Land Authority to clarify how work in heritage areas which is exempt from development approval will be better managed and monitored, and (b) publish the outcomes of these discussions.

Government Response

Noted.

The Heritage Unit has liaised and continues to liaise with the planning and land authority on these matters. The following matter has been developed through this liaison. A proposal has been prepared by the Heritage Unit to amend section 1.14 of the *Planning and Development Regulation 2008*. The amendment would allow development at a place on the heritage register without requiring development approval (i.e. would be development approval exempt) if the Heritage Council confirms in writing that, in the opinion of the Heritage Council the development will:

- not diminish the heritage significance of a place or object; or
- be in accordance with any of the following:
 - a heritage guideline, or
 - a conservation management plan endorsed by the council.

The proposal is to be tabled at the next Heritage Council meeting of 6 September 2012 with a recommendation that the Heritage Council request the Minister to consider an amendment to section 1.14 of the *Planning and Development Regulation 2008*. Any amendment to the *Planning and Development Regulation 2008* is subject to the approval of the Minister. Subject to further consideration this regulation could be made later this year or early next year.

Development proposals relating to places on the ACT Heritage Register are currently referred to the Heritage Council for advice. It is noted that for places that are included in the ACT Heritage Register, exemptions from the requirement to obtain development approval under Schedule 1 of the *Planning and Development Regulation 2008* do not apply other than for Class 10 buildings.

RECOMMENDATION 129

The Committee recommends that the ACT Government announce a timeframe for finalising *Weathering the Change: Draft Action Plan 2 Pathway to a sustainable and carbon neutral Canberra 2011 – 2060 (2011)*.

Government Response

Noted.

Weathering the Change: Draft Action Plan 2 was finalised and open for community consultation from 5 December 2011 through 2 March 2012.

The Carbon Neutral ACT Government Framework being developed in consultation with all Directorates. In response to comments on the draft Framework, the Environment and Sustainable Development Directorate is incorporating more detail on the likely costs for achieving ACT Government carbon neutrality by 2020.

The Carbon Neutral ACT Government Framework is expected to be considered by Government by the end of the year.

RECOMMENDATION 130

The Committee recommends that all ACT Government Directorates be required to finalise their respective Resource Management Plans by no later than 30 June 2013.

Government Response

Noted.

Current Resource Management Plans are in place for:

- Chief Minister and Cabinet Directorate
- Treasury Directorate
- Environment and Sustainable Development Directorate (ESDD) (this is an active interim Plan reflecting progressive consolidation of ESDD elements following the ACT Public Service (ACTPS) restructure).

The other Directorates are also revising now outdated Resource Management Plans developed prior to the ACTPS restructure to address changed structural and accommodation arrangements.

ESDD is working actively to support the completion of 2012-13 Resource Management Plans to reflect the new structural arrangements where this has not yet occurred. All Directorates will report on the status of their Plans in Annual Reports.

RECOMMENDATION 131

The Committee recommends that finalisation of the review of the *Nature Conservation Act 1980* (Act) should be assigned high priority status and additional resources allocated to it to avoid further delay.

Government Response

Noted.

Finalisation of the review of the *Nature Conservation Act 1980* is already a high priority. Additional resources have also been applied to the review, and will be applied in the future as necessary.

RECOMMENDATION 132

The Committee recommends that the biodiversity offsets policy be subject to community consultation before it is finalised and that greater transparency be adopted in the policy development process.

Government Response

Noted.

Further development of an ACT offsets policy, including any relevant community consultation, will be undertaken as part of the Council of Australian Governments reform of Environmental Regulation.

RECOMMENDATION 133

The Committee recommends that until the biodiversity offsets policy is agreed to by the Council of Australian Governments, interim ACT biodiversity offsets guidelines be developed and adopted on the basis of the results of Government's consultations with the community.

Government Response

Noted.

It is expected that the Council of Australian Governments (COAG) reform of Environmental Regulation will progress rapidly. COAG has agreed to fast-track the development of bilateral arrangements for accreditation of state assessment and approval processes, with the frameworks to be agreed by December 2012 and agreements finalised by March 2013. Given this time frame and the ACT Election, it is unlikely that an interim ACT biodiversity offsets could be developed, and be agreed by Government significantly before the finalisation of the COAG reform process.

RECOMMENDATION 134

The Committee recommends that there be a specific budget allocation for biodiversity monitoring and reporting, and strategic and accountability indicators for biodiversity outcomes, in appropriate ACT government documents, including forthcoming ACT Budget Papers.

Government Response

Noted.

The Government recognises the need for ongoing monitoring and reporting and continues to provide funding to the Conservation Planning and Research team within the Environment and Sustainable Development Directorate (ESDD) for this purpose.

The Commissioner for Sustainability and the Environment has developed a range of strategic and accountability indicators for biodiversity outcomes. ESDD is working with the Commissioner's office to ensure that our monitoring and project management systems (such as for natural resource management programs) are able to provide reporting against these indicators, where monitoring is feasible and cost effective.

RECOMMENDATION 135

The Committee recommends that the ACT Government make public the Environment and Sustainable Development Directorate report on the roles and functions of the Conservator of Flora and Fauna.

Government Response

Not agreed.

This report was intended to inform an internal review of an existing statutory role and the Government did not agree to the release of this report.

RECOMMENDATION 136

The Committee recommends that the ACT Government make public the report on the review of the operations of the Environment Protection Authority.

Government Response

Noted.

The Report was commissioned as a normal internal management review of the operations of the Environment Protection and Water Regulation Branch of the Environment and Sustainable Development Directorate. The focus is largely on systems and processes and opportunities for improvement. It is not intended that this report be made publicly available. At the same time, the Minister has released a discussion paper on the review of the *Environment Protection Act* (EPA) and Regulation. Members of the public will be able to make submissions up until November 2012 not only on the Act itself but also on issues relating to the effective operations of the EPA.

RECOMMENDATION 137

The Committee recommends that appropriate staffing resources should be allocated to develop and report on the review of the *Nature Conservation Act 1980* (ACT) and finalise the *ACT Weathering the Change: Draft Action Plan 2 Pathway to a sustainable and carbon neutral Canberra 2011 – 2060* (2011).

Government Response

Noted.

The Environment and Sustainable Development Directorate has allocated staffing resources to the review of the *Nature Conservation Act 1980* and the development of *Weathering the Change: Action Plan 2* and the Carbon Neutral Framework. It is anticipated that *Weathering the Change: Action Plan 2* and Carbon Neutral Framework will be released late in 2012.

RECOMMENDATION 138

The Committee recommends that the Minister for the Environment and Sustainable Development promptly progress plans for the appointment of an ongoing Commissioner for Sustainability and establish a deadline for the appointment.

Government Response

Agreed.

The process of selection of an ongoing Commissioner for Sustainability and the Environment is well advanced and should be completed by mid-September 2012.

RECOMMENDATION 139

The Committee recommends that the Government review how the *Commissioner for Sustainability and the Environment Act 1993 (ACT)* can provide for circumstances where there is no Commissioner for Sustainability and the Environment and no Acting Commissioner has been appointed.

Government Response

Agreed.

RECOMMENDATION 140

The Committee recommends that the Minister appoint an acting commissioner for sustainability and the environment when the commissioner or acting commissioner is on leave or legislate for which position in the Office of the Commissioner for Sustainability and the Environment becomes the acting commissioner, when the commissioner or acting Commissioner is unavailable.

Government Response

Agreed in principle.

Section 3 of the *Commissioner for the Environment and Sustainable Development Act 1993* provides that the Commissioner may delegate to a public servant the Commissioner's functions. Such a delegation enables those functions to continue to operate during periods of leave of the Commissioner and this has been the standard approach applied for some years. However, this issue will be further reviewed in order to determine whether different arrangements would offer enhanced benefits.

RECOMMENDATION 141

The Committee recommends that the Office of the Legislative Assembly institute, as soon as possible, an electronic system by which the general public can lodge petitions with the ACT Legislative Assembly.

Government Response

Noted.

This is a matter for the Speaker of the Legislative Assembly.

RECOMMENDATION 142

The Committee recommends that all ACT Government documents, including the Budget papers each year, be available online in a format that is accessible for people who are blind or vision impaired.

Government Response

Agreed in principle.

Work is underway to improve access to government information in a variety of different formats.

RECOMMENDATION 143

The Committee recommends that the ACT Government promote its services in written formats that are accessible to people who are blind or vision impaired.

Government Response

Agreed in principle.

Refer response to Recommendation 142.

RECOMMENDATION 144

The Committee recommends that the ACT Government commission an independent review of stages I and II of the ACT Affordable Housing Action Plan.

Government Response

Noted.

The Government notes that there have been two progress reports published on implementation of the initiatives contained in the Affordable Housing Action Plans (AHAP), showing that 81 of the 84 initiatives are either completed or underway. The Government considers that these initiatives have been effective in meeting their objectives, and the primary reason that housing affordability is still an issue in the ACT is that our strong economy has generated sustained high levels of demand for housing.

Therefore the key driver to improve housing affordability in the ACT will be to release more residential dwellings, which is well underway.

The development of Phase III of the AHAP released in June 2012 was informed by those two reviews. This third phase is designed to complement the residential land release program and includes additional initiatives specifically targeted to those on lower incomes.

RECOMMENDATION 145

The Committee recommends that (a) all first home buyers, with incomes below a reasonable limit, receive the same stamp duty concessions for the purchase of their first homes whether they are existing, new, or substantially renovated properties; and (b) that the Government consider extending this concession beyond 31 August 2012.

Government Response

Noted.

Changes to Home Buyer Concessions Scheme are part of an integrated policy and tax reform package. Besides expanding the eligibility for the concession, they also support new dwelling supply and activity in the construction sector.

The Government has put in place transition arrangements for the Home Buyer Concession Scheme (HBCS) so that it will remain open for existing homes until 31 August 2012. These transition arrangements will ensure that those households who were already in the market looking for their first home are not adversely affected by the changes.

From 1 September 2012, the HBCS will only be available on new or substantially renovated properties, in line with the NSW Government's *First Home – New Home Scheme*.

RECOMMENDATION 146

The Committee recommends that the ACT Government report to the Assembly on ongoing funding for the Child, Youth and Family Services Program and why the Youth Coalition of the ACT Budget proposal was not supported.

Government Response

Not agreed.

The ACT Government already reports on the expenditure of government funds through a variety of mechanisms.

The Youth Coalition's proposal was considered against the available resources and priorities at the time the Budget was framed.

RECOMMENDATION 147

The Committee recommends that the ACT Government monitor and report regularly on (a) the rate of ACT juvenile detainees who are later imprisoned as adults in the Alexander Maconochie Centre; and (b) the rate of ACT juvenile detainees who are later imprisoned as adults in other Australian jurisdictions, if it is possible to obtain the relevant data.

Government Response

Part a) Agreed in principle, Part b) Not agreed.

In relation to Part a), ACT Corrective Services can access this information but will need to review the implications of reporting in order to ensure there are no risks to privacy (for Corrections minority groups such as women). ACT Corrective Services has already introduced a field on its detainee database to record a juvenile justice experience as self-identified by detainees upon induction. This data could also be used to provide an indicative figure in regard to adult detainees with juvenile justice antecedents.

Obtaining data in regard to Part b) is not viable. It would require ACT Juvenile Justice to track the movements of former clients which it would not be appropriate for that agency to do. It would also require the ongoing cooperation of other adult corrections jurisdictions.

RECOMMENDATION 148

The Committee recommends that the ACT Government adequately fund the RSPCA ACT for the services that they deliver.

Government Response

Agreed in principle.

The terms of the two year Service Funding Agreement (SFA) signed by the RSPCA ACT and the ACT Government on 30 September 2011 will meet the animal welfare needs of the Territory for the period 2012-13.

RECOMMENDATION 149

The Committee recommends that the ACT Government detail the funding it has provided RSPCA ACT for RSPCA ACT's delivery of town cat control services.

Government Response

Agreed in principle.

The two year Service Funding Agreement (SFA) signed by the RSPCA ACT and the ACT Government on 30 September 2011 covers all aspects of animal welfare. It does not separately itemise funding for town cat control.

RECOMMENDATION 150

The Committee recommends that the ACT Government provide a timeline to the Legislative Assembly for the relocation of the RSPCA.

Government Response

Noted.

The Government is working with the RSPCA to develop a shared understanding of the scale of a new facility, and its construction cost. The Government is also looking at the impact of the cost of relocating the RSPCA on the feasibility of developing the area around the current facility. Until that shared understanding is developed and the costs and impacts are known, the Government is not in a position to provide a meaningful timeline.

RECOMMENDATION 151

The Committee recommends that the ACT Government (a) report to the Legislative Assembly on its proposed expenditure during the 2012-2013 financial year for alcohol and other drug services; and (b) clearly state its proposed expenditure for alcohol and other drug services in the budget papers for all future ACT Budgets.

Government Response

Part a) Agreed in principle, Part b) Noted.

In relation to Part a), the Government will provide detail on drug and alcohol services that are funded in 2012-13, however as with many health services there would be costs linked to drug and alcohol issues that are embedded in services including acute care, chronic disease, intensive care and cancer services.

In relation to Part b), the Government will consider the detail to be provided in future budget papers in 2013. This consideration will address the impact of the agreed move to activity based funding on the current output structure for the Health Directorate.



**Government Response
to Volume 2: Dissenting Report of the
Select Committee on Estimates 2012-13**

**Appropriation Bill 2012-2013 and
Appropriation (Office of the Legislative
Assembly) Bill 2012-13**

by Brendan Smyth MLA and Alistair Coe MLA

**Andrew Barr MLA
Treasurer
August 2012**

The Government notes that Mr Smyth and Mr Coe have provided a Dissenting Report containing 9 recommendations, in addition to the Estimate Committee's consensus report containing 151 recommendations.

The Government recognises that Committee Members have the right to provide an additional and/or dissenting report if they so choose. The Government is disappointed of the need for such a report in this instance, however, as it appears to be to serve party politics.

The dissenting report from the Committee members appears to have disregarded and in fact contradicts advice from its Expert Advisor, the Centre for International Economics (CIE).

The main issues raised in the report are no doubt generally issues faced by all jurisdictions. The inferences that these issues are unique to the ACT, or a result of failure of the ACT Government, ignores the flow on effects of the global financial crisis on all jurisdictions' budgets.

There is a wealth of literature on the appropriateness of accepting temporary deficits for economic and social policy reasons. Returning a budget deficit should not, in itself, be construed as a failure to implement sound fiscal policy. If this were the case, then every jurisdiction has failed at some stage through various financial management cycles.

As noted by the advisor to the Committee:

“there are a number of complex trade-offs involved in deciding whether or when to run a budget deficit and how quickly to return a budget to surplus”

None of these considerations are outlined in the dissenting report. Rather, delivery of a deficit is presented as a 'failure', despite the clear objectives outlined in the Budget Plan to:

- adopt a measured approach to addressing the deficit;
- achieve a balanced budget by the target year of 2015-16;
- identify annual saving targets over the forward estimates period that set the aggregate revenue and expenditure trajectories to meet over the planning period;
- ensure that in restoring the surplus, core services, community safety, and risk mitigation and protection are maintained to the high standard the community expects; and
- plan for adequate growth in expenditures to meet the needs of a growing population, and in particular, in the priority service areas such as health and education.

This Government has made it clear that there is a plan in place to address the deficit situation, as required by the *Financial Management Act 1996*. That plan has been clearly articulated, published and updated to address changing circumstances. This a prudent approach to management of the Territory's finances, we have not put in place kneejerk reactions, but have put in place a plan over the medium term to ensure priority services and that the community is safe, healthy and projected.

Additionally, the dissenting report criticises the taxation reform package introduced in the Budget claiming that the "tax reforms and economic development is beyond the capability of the Government".

Again, the authors have ignored the observations of the independent review of the Centre for International Economics (commissioned by the Estimates Committee). The Government notes that the CIE considers:

"Conveyance duties are being phased out, which is appropriate in light of the softening building market"

"This, along with the abolition of insurance duties, cuts in payroll taxes and measures to consolidate commercial land tax into general rates make for a simpler and more efficient tax system"

"The abolition of...taxes on transactions....should also provide for an additional growth boost"

"The tax reform package comes at the right time as the ACT is anticipating getting a lower share of Commonwealth GST Revenue under the new funding formula"

The dissenting report raises concerns regarding cost of living pressures, and criticises the Government for some expenditures from the statement. The statement was prepared in accordance with the legislation, and properly excludes indirect costs or expenses that may be atypical or a matter of choice.

It is incorrect to suggest that the \$9,066 included in the statement is the cost of government taxation. Members should know well that utility costs are not taxation. These costs, in part, depend on the consumption and choices households make. Likewise, the suggestion that sending one or more children to private school will increase the cost of living significantly ignores the fact that the Government provides universal free education, and private schooling would be a matter of choice.

The Government is mindful of the pressures faced by those in our community who are finding it hard to keep up with general cost of living increases. Any increases to taxes and fees are made in the context of the actual costs incurred by the Government, and ensuring stable revenue to fund core community services.

Supporting a strong economy and supporting jobs, limiting the impact of changes in taxes and fees, taxation reform, providing high quality services through sustainable revenue and delivering targeted assistance to lower income households ameliorate the cost of living pressures.

The Government developed its Targeted Assistance Strategy through an Expert Panel. The recommendation of the Strategy are currently being implemented. A number of tax reform targeted assistance measures are also being implemented.

However, a range of cost of living pressures are outside the ACT Government's control such as interest rate increases, the effect of general market forces, and the decisions of independent pricing authorities.

The Government does not propose to respond to the individual recommendations of the Dissenting Report.

The Dissenting Report demonstrates the authors have little comprehension of factors influencing the ACT or national economy and the drivers of key budget outcomes. Further, it chooses to ignore its own expert advice.

The Government will continue to focus on the prudent financial management of the Territory, and returning the Budget to surplus, while ensuring core services are maintained, adequate growth for expenditures to meet the needs of a growing population, and initiatives and projects are pursued to ensure future generations continue to inherit the quality of services and infrastructure currently enjoyed.