



Legislative Assembly for the ACT

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Appropriation Bill 2007-2008 (No 2)

DECEMBER 2007

Report 12

Committee Membership

Dr Deb Foskey MLA Chair

Ms Karin MacDonald MLA Deputy Chair

Mr Richard Mulcahy MLA

Secretariat

Secretary: Hamish Finlay

Administration: Lydia Chung

Contact Information

Telephone	02 6205 0136
Facsimile	02 6205 0432
Email	committees@parliament.act.gov.au
Post	GPO Box 1020 Canberra ACT 2601
Website	www.parliament.act.gov.au

Resolution of Appointment

The Legislative Assembly appointed the Standing Committee on Public Accounts on 7 December 2004 to:

- (i) examine:
 - (A) the accounts of the receipts and expenditure of the Australian Capital Territory and its authorities; and
 - (B) all reports of the Auditor-General which have been presented to the Assembly;
- (ii) report to the Assembly any items or matters in those accounts, statements and reports, or any circumstances connected with them, to which the Committee is of the opinion that the attention of the Assembly should be directed;
- (iii) inquire into any question in connection with the public accounts which is referred to it by the Assembly and to report to the Assembly on that question; and
- (iv) examine matters relating to economic and business development, small business, tourism, market and regulatory reform, public sector management, taxation and revenue and sustainability.¹

¹ Legislative Assembly for the ACT, Sixth Assembly, Debates, Proof, P3218-3223

TABLE OF CONTENTS

Committee Membership	i
Secretariat	i
Contact Information.....	i
Resolution of Appointment.....	ii
RECOMMENDATIONS	V
1. INTRODUCTION AND CONDUCT OF THE INQUIRY	1
Referral of the Inquiry and terms of reference.....	1
Conduct of the inquiry.....	1
Submissions	1
Public hearings	1
Acknowledgements	1
2. OUTLINE OF THE APPROPRIATION BILL	3
Proposed appropriations	3
2 EXPENDITURE PROPOSALS BY AGENCY	7
Chief Minister’s Department.....	7
Future of Canberra Studies.....	7
Beijing Olympic Torch Relay.....	7
Centenary of Canberra Scoping.....	8
Family and Community Fun Day.....	9
Percent-for-Art Scheme.....	10
Department of Treasury	10
Equine Influenza Assistance Package	10
Department of Territory and Municipal Services.....	11
ACTION - Improved Bus Network Services.....	11
ACTION- Bus Interchange and Bus Stop Infrastructure	13
Nightlink Taxi Scheme	14
Look of the City	15
Additional Trees – Lake Ginninderra and Lake Tuggeranong Foreshore	15
Commissioner for the Environment – Additional Resourcing.....	16

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Implementation of Climate Change Strategy	17
Water Demand Management.....	18
Drought Proofing Parks and Open Space	19
Civic Petrol Plume	20
Tourism Events Acquisition Strategy.....	20
Hosting the 2008 Australian Tourism Awards	21
Sports in Schools Initiative	21
Department of Justice and Community Safety	22
Crime Reduction.....	22
Alexander Maconochie Correctional Facility.....	22
Sexual Assault Reform Programme	24
ACT Judges Pension	25
Occupational Health and Safety Commissioner	25
Department of Education and Training.....	26
Student Welfare (Pastoral care) Package	26
Harrison Primary School	26
Indigenous education	27
Curriculum Support.....	28
Water Demand Management.....	29
Gungahlin Well-being Precinct.....	30
ACT Planning and Land Authority.....	31
New Metropolitan Development Sequence and Concept Planning Programme ..	31
Gungahlin Town Centre Planning Report and Precinct Code	31
3 CONCLUSION.....	33
APPENDIX A: LIST OF WITNESSES	35
Public hearing of Monday 26 November 2007	35
Public hearing of Tuesday 27 November 2007.....	35
Public hearing of Thursday 27 November 2007.....	36
APPENDIX B: BEIJING OLYMPIC TORCH RELAY – DRAFT BUDGET	37
APPENDIX C: EXCERPT FROM <i>REVIEW OF THE ROLE OF THE COMMISSIONER FOR THE ENVIRONMENT BY DARRO STINSON, 6 AUGUST 2007</i>	39

RECOMMENDATIONS

RECOMMENDATION 1

1.10 The Committee recommends that the ACT Government undertake systematic analysis of major budget expenditure as a basis for supporting expenditure in future appropriation bill documentation.

RECOMMENDATION 2

1.13 The Committee recommends that the ACT Government give consideration to saving a portion of future windfall revenue for a future contingencies fund and/or tax reform and report to the Legislative Assembly on this consideration at the time of the next Appropriation Bill.

RECOMMENDATION 3

2.11 The Committee recommends that the ACT Government, as a matter of urgency, seek confirmation from the Commonwealth Government of its support for the Centenary of Canberra and take steps to establish a joint Commonwealth-Territory Committee to develop a programme of events and secure funds.

RECOMMENDATION 4

2.32 The Committee recommends that the ACT Government considers employing trained staff to raise the level of security at Woden and Belconnen interchanges, at least until the planned security upgrades are completed.

RECOMMENDATION 5

2.38 The Committee recommends that TAMS begin coordination talks with ACT Policing to ensure a visible presence is available as the Nightlink taxi scheme is trialled and that taxi rank marshals and private security are able to swiftly receive uniformed assistance should they require it.

RECOMMENDATION 6

2.45 The Committee recommends that the ACT Government ensure that any additional responsibilities allocated to the Commissioner for the Environment be matched with adequate resources in addition to funding provided in this Appropriation Bill and ensure that funding is provided to allow the Commissioner to properly carry out their responsibilities.

RECOMMENDATION 7

2.46 The Committee recommends that the ACT Government accelerates its consideration of the Planning and Environment Committee's report on the UNESCO BioSphere Reserve to ensure that it considers all the proposed roles for the Commissioner for the Environment in a single process.

RECOMMENDATION 8

2.56 The Committee recommends that the ACT Government commit significantly more resources to making Government properties water and energy efficient.

RECOMMENDATION 9

2.85 The Committee recommends that the Department of Justice and Community Safety ensures that all its liabilities, including long service leave, are properly funded and accounted for in the 2008-09 Budget and JACS financial statements.

RECOMMENDATION 10

2.90 The Committee recommends that the ACT Government consider reinstating the Occupational Health and Safety Commissioner as an independent statutory officer.

RECOMMENDATION 11

2.102 The Committee recommends that the ACT Government table in the Legislative Assembly a summary of the research used to support the proposed time allocations for student learning of languages other than English.

RECOMMENDATION 12

2.106 The Committee recommends that the Department of Education and Training, in cooperation with ACTEW, prepare a guide for school committees to assist in their efforts to increase water efficiency at ACT schools.

RECOMMENDATION 13

2.107 The Committee recommends that the ACT Government table in the Legislative Assembly the programme for providing all schools with COMTROL irrigation system controllers.

RECOMMENDATION 14

2.108 The Committee recommends that the ACT Government encourage schools to seek funding for water tanks from Federal Government

programmes and that the ACT Government give consideration to a similar scheme with a view to water storage as well as water saving measures.

RECOMMENDATION 15

3.2 The Committee recommends that the Legislative Assembly pass Appropriation Bill 2007-08 (No 2).

STANDING COMMITTEE ON PUBLIC ACCOUNTS

1. INTRODUCTION AND CONDUCT OF THE INQUIRY

Referral of the Inquiry and terms of reference

- 1.1 The Appropriation Bill 2007-2008 (No 2) (“the Bill”) was tabled in the Legislative Assembly on 13 November 2007 and referred to the Committee for inquiry.
- 1.2 The Committee’s terms of reference were to inquire into and report on the expenditure proposals contained and revenue estimates proposed in the Bill by 4 December 2007.

Conduct of the inquiry

Submissions

- 1.3 The Committee invited submissions from a wide range of stakeholders but acknowledged that the short timeframe for the inquiry would limit the ability of the public and community organisations to contribute. The Committee received no submissions.

Public hearings

- 1.4 The Committee held public hearings with Ministers and officials on 26 November, 27 November and 29 November 2007. Witnesses who attended the public hearings are listed in **Appendix A**.

Acknowledgements

- 1.5 The Committee thanks all those who contributed to the inquiry by providing information or appearing before it to give evidence.

2. OUTLINE OF THE APPROPRIATION BILL

Proposed appropriations

- 1.6 The Bill proposes additional appropriations of \$36,254,000 in the financial year beginning 1 July 2007. These appropriations are in addition to the \$2,963,768,000 funded in the Appropriation Act 2007-2008.
- 1.7 The Government has outlined its plans for expenditure by agency (excluding non-appropriated expenses, capital and depreciation but including territory expenses) as follows:

Agency	2007-08 \$'000	2008-09 \$'000	2009-10 \$'000	2010-11 \$'000
Legislative Assembly Secretariat	60	25	5	6
ACT Executive	21			
Chief Minister's Department	1,495	250		
Treasury	150			
ACT Health	1,696	2,125	2,197	2,270
Disability, Housing and Community Services	339	507	524	542
Justice and Community Safety	2,313	2,960	1,909	1,938
Territory and Municipal Services	9,756	7,926	7,054	7,085

Housing ACT	250	250		
Education and Training	4,378	6,807	6,782	6,767
ACT Planning and Land Authority	2,154	470	102	104
TOTAL	22,612	21,320	18,573	18,712

- 1.8 This Appropriation Bill was introduced into the Legislative Assembly approximately two and a half months after the first Appropriation bill was passed. The Treasurer has stated in the Assembly that the reason this bill was possible was because of changes to revenue that became apparent after the Budget process had been finalised. This revenue included an estimated \$20.1 million in additional GST revenue due to population increases and an increase in the overall size of the GST pool. Additional revenue from conveyancing fees (June year-to-date actual revenue was \$231,199,000 compared to an estimated outcome of \$198,802,000) was also available due to a buoyant housing market.
- 1.9 The Committee notes that much of the spending in this Bill appears to be in areas that were adversely affected by the 2006-07 budget and in many cases goes towards restoring funding closer to its previous level. The Committee is interested in what analysis the government conducted on the impact that the Bill might have on responding to the concerns of the community over aspects of the functional review. The Committee understands that this Bill was not informed by a specific request for public submissions but acknowledges the consultation process currently underway to inform the 2008-09 budget.

RECOMMENDATION 1

- 1.10 **The Committee recommends that the ACT Government undertake systematic analysis of major budget expenditure as a basis for supporting expenditure in future appropriation bill documentation.**
- 1.11 The Committee inquired about the Government's approach to windfall revenue noting that the September quarter showed another unexpected surplus. The Treasurer noted that he preferred to be cautious about the first quarter result and that maintaining a good cash position was important to enable investment in infrastructure.
- 1.12 The Committee acknowledges the need for caution in dealing with surpluses but notes that Appropriation Bills reveal only what expenditure has been decided on. The Committee believes that budget and appropriation processes would be assisted by clear statements from the Treasurer about what other options were considered, including tax reform and placing surplus funds in an investment fund for future use by the Territory.

RECOMMENDATION 2

- 1.13 **The Committee recommends that the ACT Government give consideration to saving a portion of future windfall revenue for a future contingencies fund and/or tax reform and report to the Legislative Assembly on this consideration at the time of the next Appropriation Bill.**

2 EXPENDITURE PROPOSALS BY AGENCY

- 2.1 This chapter provides information obtained during the Committee's inquiry on individual proposals within the Bill and comments on those proposals. Not all proposed expenditure in the Bill is examined below. All expenditure proposals refer to recurrent expenditure rather than capital unless otherwise indicated.

Chief Minister's Department

Future of Canberra Studies

- 2.2 Expenditure of \$250,000 in 2007-08 is proposed for a series of studies to identify planning and economic development issues for the ACT. The Chief Minister noted that it was important to keep abreast of demographic and other changes that would impact on the ACT over the next 25 years. The impact of these changes would be most obvious in increased demands for health services. The ACT Government is currently putting together a brief for the studies and talking with the Australian Bureau of Statistics about population studies.
- 2.3 The Committee notes that this work will provide a useful contribution to the next update of the Canberra Plan.

Beijing Olympic Torch Relay

- 2.4 Expenditure of \$950,000 in 2007-08 is proposed for Canberra's hosting of the Beijing Olympic Torch Relay. The Committee expressed surprise at the cost of this event and that concern has been reinforced after receiving the draft budget for the event (see Appendix B).
- 2.5 The Chief Minister admitted that he was surprised when he first heard of the cost. The ACT Government had not sought this event but was determined to use it to showcase Canberra to an international and national audience. Given

that the National Capital was to be put on display the ACT government had the Chief Executive of the Chief Minister's Department meet with the Chief Executive of the Department of Prime Minister and Cabinet seeking funding from the Commonwealth. Caretaker conventions meant that no firm decision could be taken at that time but the ACT Government understands that there will be a recommendation to the incoming Government that the Commonwealth meet half the cost of the event. The Bill contains full funding for the event, on the understanding that the ACT will be able to recover half the cost from the Commonwealth after the event.

- 2.6 The expenditure was mainly needed to meet the requirements of the Beijing Organising Committee of the Olympic Games. Expenditure will include convoy vehicles, facilitation for media, additional staffing and marketing and promotion. At the Committee's request the Chief Minister provided a draft budget for the event (See Appendix B).
- 2.7 While the Committee has some concerns about the apparent high cost it understands the steps that the government has taken to secure Commonwealth funding, which, if forthcoming, will significantly reduce the cost to the Territory, and notes the potential that this event has for high profile exposure of Canberra.

Centenary of Canberra Scoping

- 2.8 Expenditure of \$150,000 in 2007-08 and \$250,000 in 2008-09 is proposed for further scoping of the Centenary of Canberra celebrations. The Committee inquired why, five years out from the event, this was still only at the scoping stage.
- 2.9 The Chief Minister noted that, while the ACT Government could put on an event that was a celebration for Canberrans of their home town, he was aware that it was also the centenary of the National Capital. This suggests that Commonwealth funding is justified but the outgoing Federal government had not responded. The Chief Minister was hopeful that the incoming government would give a more favourable response.
- 2.10 The Committee inquired about the "capacity building" aspects of the proposed expenditure. The CMD currently has one officer working part time

on the event. Most of the expenditure in the Bill would fund studies but there would be some funding to build a team to oversee planning for the Centenary with a part time administration position the priority. The Committee was informed that all of the Bill's proposed funding for the CMD would lead to no more than three positions in total, none of which would be permanent.

RECOMMENDATION 3

- 2.11 **The Committee recommends that the ACT Government, as a matter of urgency, seek confirmation from the Commonwealth Government of its support for the Centenary of Canberra and take steps to establish a joint Commonwealth-Territory Committee to develop a programme of events and secure funds.**

Family and Community Fun Day

- 2.12 Expenditure of \$75,000 in 2007-08 is proposed to support delivery of an event celebrating Family and Community Fun Day. The Committee asked whether this kind of outlay could be expected for all public holidays. The Chief Minister said that there were no plans to expand such expenditure. New Year's Eve, Australia Day and Canberra Day were the Government's most significant holiday events, with the lighting of the Civic Christmas Tree its major Christmas event. The Chief Minister noted that he would want to see analysis on the reaction to the holiday before any decision was made as to its future but it is unlikely that it will be celebrated in future, as it was at least partly a response to the Howard Government's Work Choices legislation. The Minister for Industrial Relations agreed in his evidence to the Committee that if Union Picnic Day were to be restored by the incoming Federal Government, he would not see a need to gazette an additional holiday in the ACT. There were no plans by the ACT Government to provide Union Picnic Day with the same level of funding as it did Family and Community Fun Day.
- 2.13 The Committee notes that this expenditure is for an event that took place on 6 November 2007. It is of concern that this funding was not sought in the 2007-08 Budget and that instead the Legislative Assembly is being asked to retrospectively approve already committed funding.

Percent-for-Art Scheme

- 2.14 Expenditure of funding equivalent to one percent of all other new capital expenditure in the Bill is proposed to commission public artwork and to maintain the existing public art collection. This is consistent with the application of the Percent-for-Art scheme in the 2007-08 Budget. The Chief Minister explained that this funding was not dependent on specific projects or proposals being underway at the time of appropriation but was an ongoing effort to address an area that he believed had been “underdone” in the past.
- 2.15 The Committee asked about the process for deciding what art was commissioned and which locations were selected. The Chief Minister said that the Public Art Advisory Board made decisions on choosing art work and he did not become involved in such decisions. He was involved in deciding on sites. Priority is being given to Civic but Tuggeranong, Belconnen and Woden were also important in his view.
- 2.16 The Committee welcomes the information that independent experts will play a major role in selection of artworks and would like to see much of this funding used to support local artists.

Department of Treasury

Equine Influenza Assistance Package

- 2.17 Expenditure of \$150,000 in 2007-08 is proposed to help compensate the local racing industry, equestrian clubs and the Pegasus Riding School for the cost of the recent equine influenza outbreak. The Committee asked why assistance also went to the Greyhound Racing Club. The Treasurer advised that this was to assist the Club in delivering a product to ACTTAB at a time when other products (thoroughbreds and harness racing) had been withdrawn.
- 2.18 The Treasurer acknowledged that this kind of expense would have been funded from the Treasurer’s Advance if there had not been a second Appropriation Bill but as there was the Government considered it appropriate to include it.

Department of Territory and Municipal Services

ACTION - Improved Bus Network Services

- 2.19 Expenditure of \$3,950,000 in 2007-08 and \$5,500,000 in each outyear is proposed for improved bus network services. The Committee asked about the governance structure of ACTION. The Minister for Territory and Municipal Services confirmed that ACTION had previously been a statutory authority but was now part of TAMS.
- 2.20 The Committee was interested in the new network and opportunities for members of the community to have their concerns about the changes taken into account. The Minister outlined a two stage consultation process. The first stage had involved surveys online, at interchanges and on buses as well as the work of the Planning and Environment Committee. That stage provided a lot of data for the network designer, Canadian expert Jarrett Walker, to take into account. With the new network design now available the second stage of consultation is underway. The new network is available from ACTION's website, at Canberra Connect shopfronts and in public forums held with Community Councils. ACTION officers are making direct contact with those who express concern that they are being adversely affected by the changes. From this feedback changes will be made to the new network before implementation where possible, although, being a mass transit system, the Minister believed the new network could not suit every individual's circumstances.
- 2.21 The Committee notes that this funding has been proposed before the Government has formally responded to the Planning and Environment's report on ACTION buses.
- 2.22 The Committee requested information on the vehicle replacement programme. The Minister explained that there are two aspects to the vehicle replacement programme. The first is the purchase of new vehicles all of which will use clean fuel, either compressed natural gas or clean diesel, and be wheel-chair accessible. There was \$8 million in the 2007-08 Budget to purchase 16 buses and the government has indicated that there will be \$50

million over the next four years in the 2008-09 budget to allow the purchase of 25 buses each year. The purchase of new vehicles will also allow ACTION to gradually move from running five types of buses to only two with resulting efficiency savings.

- 2.23 The second aspect of vehicle replacement involves reconditioning engines and other aspects of aging vehicles. The standard life of buses in the ACTION fleet should be 12 years but successive governments have failed to provide funding to allow for this. The reconditioning process will extend the life of a number of 12 year old buses to 20 years. Any buses that are assessed as unsuitable for the reconditioning process will be replaced instead. The reconditioning process is expected to have the effect of a net increase of 40 buses on the road, the number required to service the extra requirements of the new network. The extra services are being met by a combination of additional buses, whether they be new or reconditioned, and restructured routes which reduce the amount of time buses are “dead running” ie without passengers.
- 2.24 The Committee welcomes the Government’s efforts to address the gap in ACTION’s vehicle replacement programme and thereby place it onto a more predictable path in the future.
- 2.25 The Committee inquired about what consideration had been given to alternative fuels. The Minister noted that developments in alternative and green fuels are occurring rapidly making it difficult to keep up. The Government has committed to compressed natural gas and clean diesel and adding a third type of fuel would result in increased costs for maintenance and the need to construct additional fueling sites.
- 2.26 The Committee inquired about the procurement process and whether suppliers from the Asian region had been investigated. The Minister noted that it took 20 to 26 weeks for a new bus to be delivered after the procurement process has been completed. TAMS sets out the criteria for the buses they require and then the procurement is done by Procurement Solutions Ltd. Asian countries cannot currently meet local demand and are themselves importing buses. New ACTION buses have engines imported from Europe and the body constructed in Australia.

- 2.27 The Committee notes that the Bill provides for \$164,000 for free bus travel for bicycle riders using ACTION bus racks with \$70,000 in capital to provide a further 50 bike racks. The Committee believes that if this scheme is to work effectively then travellers need to have easily accessible information on which routes and at which times buses with bike racks will be travelling.

ACTION- Bus Interchange and Bus Stop Infrastructure

- 2.28 Expenditure of \$1,000,000 in capital in 2007-08, along with associated depreciation, is proposed for improving the safety and amenity of the Belconnen and Woden interchanges. The aim is for interchanges to become safe and attractive places.
- 2.29 The Committee asked about the timeframe for the installation of CCTV cameras at Woden interchange and whether those cameras would be monitored live or not. The Minister for Territory and Municipal Services replied that the roll-out of CCTV cameras at the interchange was linked to updating of cameras elsewhere in Woden Plaza to ensure an integrated system and that appropriate policy is in place governing the viewing, custody and disposal of CCTV images. Whether the images will be monitored live or not is still to be decided. The CCTV cameras installed on buses, which provide images of both inside and outside the buses, are monitored live. All buses will have these installed by the end of the year.
- 2.30 The Committee asked whether consideration had been given to having appropriately trained staff on site at interchanges to provide a level of physical security. The Minister replied that transport supervisors are present and take passenger safety seriously. The 2007-08 budget increases the number of transport supervisors by six but the Minister insisted that it is not their job to function as pseudo police officers.
- 2.31 The Committee was unable in the course of its inquiry to gain a clear understanding of the timeframe for the roll out of CCTV cameras in the Woden interchange. The Committee does not expect ACTION staff to act as trained security officers would and remains interested in whether any consideration has been given to employing such trained staff at interchanges.

RECOMMENDATION 4

- 2.32 **The Committee recommends that the ACT Government considers employing trained staff to raise the level of security at Woden and Belconnen interchanges, at least until the planned security upgrades are completed.**

Nightlink Taxi Scheme

- 2.33 Expenditure of \$227,000 in expenses and \$100,000 in capital in 2007-08, \$254,000 in expenses and \$200,000 in capital in 2008-09, \$150,000 in 2009-10 and \$150,000 in 2010-11, along with associated depreciation, is proposed for providing a reliable, low-cost large-vehicle taxi system in Civic late on Friday and Saturday nights for five hours each night.
- 2.34 The Committee asked how this scheme would work and be administered. The Minister for Territory and Municipal Services explained that the large vehicle taxis will operate from specific taxi ranks where marshals will be stationed. The scheme guarantees the operator and driver \$80 an hour. The budget has been assembled on the assumption that the government will need to pay about \$40 an hour and the other \$40 will be collected in fares. A similar Brisbane scheme required no subsidy after 12 months as drivers were earning sufficient fares. The marshals will be allocating passengers to vehicles, collecting fares and recording each job which will ensure taxi drivers are paid and should make the progress of the scheme easy to monitor.
- 2.35 The Committee inquired why the private sector was not already providing this type of service. The Minister said that the biggest problem was the lack of drivers due to low levels of fares between midnight and 6am. This scheme will be a pilot with the upcoming Christmas and New Year period likely to provide early feedback.
- 2.36 The Committee expressed concern about acts of violence towards taxi drivers and passengers waiting at taxi ranks late at night and inquired how the scheme would address this issue. The Minister highlighted the \$100,000 capital injection. This would be used to provide signage, CCTV cameras and

improved lighting at ranks. That, he claimed, along with the presence of the marshal and of security guards, should deter violence.

- 2.37 The Committee welcomes the pilot as a step towards an integrated public transport system and looks forward to seeing analysis of the scheme's functions as the pilot continues. The Committee welcomes the provision of security guards at the Nightlink taxi ranks but remains concerned about the risk of violence. Addressing safety concerns will be an important factor in encouraging uptake of the service. The Committee was therefore disappointed that there did not appear to be any cross agency coordination between TAMS and ACT Policing on this scheme.

RECOMMENDATION 5

- 2.38 **The Committee recommends that TAMS begin coordination talks with ACT Policing to ensure a visible presence is available as the Nightlink taxi scheme is trialled and that taxi rank marshals and private security are able to swiftly receive uniformed assistance should they require it.**

Look of the City

- 2.39 Expenditure of \$205,000 in 2007-08 is proposed to upgrade street and park furniture, tree maintenance and visitor and public transport signage. The Committee asked for clarification on how the "city" was defined for the purposes of this funding and was told that it covered all the town centres but the main focus would be on Civic.
- 2.40 The Committee welcomes the funding but notes that significantly more expenditure will be required to address the scale of work to be done.

Additional Trees – Lake Ginninderra and Lake Tuggeranong Foreshore

- 2.41 Expenditure of \$50,000 in 2007-08 is proposed to allow additional trees to be planted on the foreshores of Lake Ginninderra and Lake Tuggeranong. The Committee notes the need for landscape architects and ecologists to be involved in decision making on the type of trees chosen and their planting sites.

Commissioner for the Environment – Additional Resourcing

- 2.42 Expenditure of \$449,000 in 2007-08, \$662,000 in 2008-09, \$679,000 in 2009-10 and \$696,000 in 2010-11 is proposed for the expansion and enhanced responsibilities of the Office of the Commissioner of the Environment. The funding is intended to allow the Commissioner to move from a part-time to a full-time role, provide for three full time staff and allow a broadening of responsibilities.
- 2.43 The Office of the Commissioner for the Environment has been hampered in its ability to perform its statutory functions for several years due to inadequate resourcing. A review in 2003-04 recommended increased funding and the Standing Committee on Planning and Environment has unsuccessfully recommended in its reports on the 2004–05 and 2005–06 annual and financial reports that additional resources be allocated to that office.² That Committee has also recommended that additional functions and resources be conferred on the Office in the context of the proposed nomination of the ACT as a UNESCO Biosphere Reserve.³ This Committee therefore welcomes this funding increase.
- 2.44 The Committee is interested in the proposed role of the “Commissioner for Sustainability and the Environment” and thanks the Minister for the Environment, Water and Climate Change for making available a copy of the review on this subject by Darro Stinson an excerpt from which is included in Appendix C. In addition to existing responsibilities the position is proposed to have a role auditing ACT Government agencies as part of the Climate Change Strategy, enhanced sustainability reporting requirements, a role in water catchment management and the responsibilities of Conservator of Flora and Fauna. There are also proposed responsibilities related to the UNESCO Biosphere reserve. The Committee notes that in providing resources to overcome existing shortfalls at the same time as broadening the position’s responsibilities, there is a risk that the Commissioner remains unable to meet

² ACT Legislative Assembly, Standing Committee on Planning and Environment, *Report on Annual and Financial Reports 2005–06: Report No 26*, p12

³ ACT Legislative Assembly, Standing Committee on Planning and Environment, *Report on the Proposed Nomination of the ACT as a UNESCO Biosphere Reserve: Report No 30*.

community expectations and fulfil statutory roles.

RECOMMENDATION 6

- 2.45 **The Committee recommends that the ACT Government ensure that any additional responsibilities allocated to the Commissioner for the Environment be matched with adequate resources in addition to funding provided in this Appropriation Bill and ensure that funding is provided to allow the Commissioner to properly carry out their responsibilities.**

RECOMMENDATION 7

- 2.46 **The Committee recommends that the ACT Government accelerates its consideration of the Planning and Environment Committee's report on the UNESCO BioSphere Reserve to ensure that it considers all the proposed roles for the Commissioner for the Environment in a single process.**

Implementation of Climate Change Strategy

- 2.47 Expenditure of \$836,000 on expenses and \$70,000 on capital in 2007-08, \$871,000 in 2008-09, \$172,000 in 2009-10 and \$173,000 in 2010-11 is proposed for delivering climate change initiatives outlined in the ACT Climate Change Strategy 2007-2025 and the supporting Action Plan 2007-2011.
- 2.48 At the Committee's request the Minister for the Environment, Water and Climate Change provided a breakdown of expenditure against actions in the Climate Change Strategy. The Minister noted that \$164,000 was provided for free bus travel for bicycle riders using ACTION bus racks (action 14).with \$70,000 in capital to provide a further 50 bike racks (see the section on ACTION buses for discussion). Doubling the new home owners' entitlement to trees and shrubs to \$220 and promoting more appropriate species for the climate will cost \$438,000 over four years (action 15).
- 2.49 The project of the 25 year wholesale renewal of Canberra's urban forest has \$400,000 allocated to it (action 25) as a first step. This money will be used to fund a strategy, developed through a tender process, that will engage scientists and landscape architects on how best to go about replacing aging

trees. The Minister noted that this was likely to be the cheapest part of this programme.

- 2.50 The establishment of a grants programme for community and not for profit groups has \$300,000 in 2007-08 and \$700,000 in 2008-09 allocated to it (action 27). A review of current and potential natural carbon sequestration levels and opportunities will be funded with \$50,000 (action 43).
- 2.51 The Minister explained that other climate change spending in the Bill included \$8 million for the energy efficiency of public housing, \$7 million for drought proofing and water demand management in public spaces and \$24 million on ACTION bus services.
- 2.52 The Committee notes that the expenditure in this Bill is well short of the level of funding initially outlined by the Government in the Climate Change Strategy and looks forward to future announcements on this issue.

Water Demand Management

- 2.53 Expenditure of \$525,000 in 2007-08 for water demand management is proposed. At the Committee's request the Minister for the Environment, Water and Climate Change explained that \$300,000 of that funding will be for retrofitting dual flush toilets and low water use urinals in ACT Government-owned commercial buildings. This funding will cover work on 15 such buildings, approximately 10% of the total. The scheme involves subsidies covering half the cost of the retrofit. The remaining \$225,000 will be used for education and awareness initiatives to the community in general.
- 2.54 This funding is part of a \$2 million programme with the remaining expenditure being \$500,000 to retrofit public housing, \$375,000 on installing irrigation system controllers at 15 government schools and \$600,000 on upgrading and repairing irrigation systems at 13 schools.
- 2.55 The Committee welcomes this programme as a start towards the significantly larger programme required to move the ACT government towards best practice in water demand management. The Committee is aware that it is vital that the Government be shown to be leading the way in its own practices if it is to expect the Community to restrict its water demand to meet

targets.

RECOMMENDATION 8

- 2.56 **The Committee recommends that the ACT Government commit significantly more resources to making Government properties water and energy efficient.**

Drought Proofing Parks and Open Space

- 2.57 Capital expenditure of \$1,500,000 in 2007-08 and \$1,400,000 plus \$100,000 in expenses in 2008-09, along with associated depreciation, is proposed for the conversion of irrigation systems in parks adjacent to lakes to use second class water, implementing black and storm water recycling in parks and reseeding with drought tolerant grasses.
- 2.58 The Committee asked about the sustainability of using lake water for irrigation, noting problems in Gunghalin last summer. The Minister for the Environment, Water and Climate Change acknowledged that such use had to be sustainable but believed that where there was capacity the Government should be looking to reduce its consumption of potable water. There is still some feasibility work to be done to determine which parks will use lake water for irrigation.
- 2.59 In relation to black and grey water the Minister noted that the Water Task Force looked at the greater capacity for using sewer mining. There are major urban grey water systems at O'Connor but none on public lands in Tuggeranong or Belconnen so capacity should be introduced in those areas.
- 2.60 The Committee welcomes the Government's initiative to extend wastewater recycling to Tuggeranong and Belconnen as a useful measure for reducing water demand. The Committee acknowledges that lake water irrigation can also make a useful contribution but is concerned that this irrigation be undertaken with proper regard for the health of the lakes concerned and their associated flora and fauna.

Civic Petrol Plume

- 2.61 Expenditure of \$600,000 in 2007-08 is proposed for a remediation project to address the contamination of underground water from a petrol plume in the city. The Minister for the Environment, Water and Climate Change explained that the plume was revealed in 1977 on Bunda Street and has been managed by successive governments since then. Initially 40 bores were sunk to monitor the plume which has now shrunk to a smaller area, requiring only 14 bores. An extraction bore will be sunk to extract the water and petrol, a process that will take around two years. The intent is that this will solve the problem permanently.
- 2.62 The Committee asked if there were other petrol plumes in Canberra. Officials explained that is one under active remediation by BP in Chisholm. This is expected to take at least five years but the plume is not expected to cause any problems during that time.

Tourism Events Acquisition Strategy

- 2.63 Expenditure of \$75,000 in 2007-08 is proposed to fund an independent report on current and future event-related infrastructure capacities. The Committee asked why such activities were not already being funded and whether they could be done in-house.
- 2.64 The Minister for Tourism, Sport and Recreation explained that the intent was to look at opportunities provided by new venues, such as Stromlo Forest Park, but also to take stock of current events and opportunities to attract new ones. He noted that there were regional events that have outgrown their existing homes and may be looking for a larger city as a host. Officials from Australian Capital Tourism noted that there were 41 staff in their organisation but their expertise was around operational delivery. The funding was intended to fund a specialist with contacts at a global level who could identify events that the ACT could match to its capacities now and in the future. The scope of works for the tender is being finalised with the aim to have the report delivered by June 2008.

- 2.65 The Minister confirmed for the Committee that this Bill contained no funding for a feasibility study for Canberra hosting the Commonwealth Games and that the Government had not committed any funding to such a study.

Hosting the 2008 Australian Tourism Awards

- 2.66 Expenditure of \$50,000 in 2007-08 is proposed for the Australian Tourism Awards to be held in Canberra in 2008. The Minister was asked what this funding was for and why it was not included in the budget.
- 2.67 The Minister for Tourism, Sport and Recreation confirmed that the \$50,000 in this Bill was in addition to the \$50,000 appropriated in the 2007-08 Budget. He acknowledged that the organisers had originally requested a figure close to \$100,000 but initial funding was \$50,000 which was for venue hire, production and staging. After further advice the Government decided to provide an extra \$50,000 to raise the level of the event. This second amount of \$50,000 will be to pay a creative director and fund an MC and entertainment. Other jurisdictions and partners also contribute funding to the event.

Sports in Schools Initiative

- 2.68 Expenditure of \$250,000 in 2007-08 is proposed for seed funding for a Children's Physical Activity Foundation. The Committee asked who will administer the programme and who will conduct the sports activities.
- 2.69 The Minister for Tourism, Sport and Recreation noted that the money was intended to kickstart the foundation and the government was pursuing business, community and sporting partners. When established the foundation will provide money for schools to buy sports equipment and physical activity programmes delivered by sports people and other providers. The foundation is based on elements of the UK Youth Sports Trust model.

Department of Justice and Community Safety

Crime Reduction

- 2.70 Expenditure of \$565,000 in 2007-08, \$635,000 in 2008-09, \$141,000 in 2009-10 and \$146,000 in 2010-11 is proposed to fund police to support a multi-agency pilot project aimed at addressing crime and anti-social behaviour in high density public housing and to fund 5,000 engine immobilisers and trial anchor bolts in public motor cycle parking bays.
- 2.71 The Committee inquired about the nature of the pilot project and what it would fund. Officials from the Department of Justice and Community Safety (JACS) explained that the project was overseen by a cross agency working group and included a justice component aimed at increasing police presence and visibility as well as a social service component aimed at better needs assessment and coordination of services to people with high-level complex needs. The exact nature of the police presence is yet to be determined but an additional full time equivalent position is covered by this funding with the intention that this expand community policing activities rather than allow for one individual based at a particular site.
- 2.72 The Committee welcomes the cross agency approach being taken in this programme.

Alexander Maconochie Correctional Facility

- 2.73 Expenditure of \$2,540,000 in capital in 2007-08 and \$370,000 in expenses and \$90,000 in capital in 2008-09, along with associated depreciation, is proposed to fund completion of the Prison's construction and post-construction issues.
- 2.74 The Committee notes that this additional funding has been sought for this project despite the scope of the project being scaled back with the removal of 74 beds⁴. The Committee asked about the additional costs causing the need

⁴ Simon Corbell MLA, Media release *Bovis Lend Lease to Build Alexander Maconochie Centre*, 16 October 2006.

for further funding and what steps, such as locking in costs or hedging, had been taken to avoid cost overruns.

- 2.75 The Attorney-General noted that the increased cost of the project observed in recent months was due to increased costs in the construction sector generally. Variations to the initial contract, some initiated by the Government, some by the contractor, had also added to costs. Normally these variations would be covered by the contingency but the Attorney-General acknowledged that the initial contingency of \$3 million for a \$128 million project was too modest. Overall, costs have escalated less than 5%. The Chief Executive of JACS said that the price was locked in in the initial contract to the extent that requirements were known and detailed at the time of tender. The reduction of the number of beds was in response to the much larger than anticipated escalation in the cost of construction materials in recent years. The facility was scaled down to bring the project within budget so it was not a variation in design in the normal sense. The Committee has requested a list of major variations to the project and their cost implications.
- 2.76 The Attorney-General was asked about the possibility of NSW prisoners filling any spare capacity in the facility when it is built. The Attorney-General noted that the intention was to participate in normal interstate transfer arrangements and not to make the prison a “first call” for NSW inmates. Departmental analysis indicates that the costs of running the prison are equivalent to the costs of paying NSW to house the current population of ACT prisoners. The Committee requested a detailed breakdown of the facilities’ running costs.
- 2.77 The Committee asked about the sustainability measures included in the construction project. The Attorney-General indicated the Government anticipated that the facility would achieve a five star energy rating and there will be extensive water recycling and rainwater capture on site. The Committee requested details of how much these construction features added to construction cost and an estimation of consequential savings in running costs.

Sexual Assault Reform Programme

- 2.78 Expenditure of \$493,000 in expenses and \$575,000 in capital in 2007-08, \$1,069,000 in expenses and \$50,000 in capital in 2008-09, \$867,000 in 2009-10 and \$879,000 in 2010-11, along with associated depreciation, is proposed for facilities to allow sexual assault victims to give recorded evidence away from the court room and additional resources for various agencies involved in sexual assault issues.
- 2.79 The Committee asked for a breakdown of staffing numbers provided by this expenditure. The Attorney-General outlined the following additional full time equivalent positions:
- 1 police officer to support the sexual assault and child abuse team;
 - 1 specialist prosecutor for the Director of Public Prosecutions;
 - 1 coordinator of victim support
 - 1 specialist witness assistant to assist victims of sexual assault in preparing and going through the process of giving evidence;
 - 1 crisis counsellor, who will be provided through a community organisation;
 - 1 training and development officer;
 - 1 specialist legal policy officer to assist in developing a comprehensive law reform package;
 - 1 technology support officer for the courts.
- 2.80 The Committee asked if this was the entire programme. The Attorney-General explained that this was stage one and it supported in full the proposal of the working group on this issue. Stage two would be the legislative reform that the specialist legal policy officer funded in this appropriation would be working on.
- 2.81 The Committee welcomes this programme but notes that aspects of it should have been delivered earlier. The Committee particularly welcomes the funding for police and victim support to increase their ability to assist victims of sexual assault.

ACT Judges Pension

- 2.82 Expenditure of \$760,000 in 2007-08, and \$377,000 in each of the following three years is proposed to provide for the initial expenses of the ACT Judges Pension Scheme payments and Long Service Leave payments.
- 2.83 The Committee asked why an appropriation was needed for this as the liability was well known. The Attorney-General stated that retirement by judges is rare in the ACT, the amount involved is small, and long service leave is usually taken at the time of retirement.
- 2.84 The Committee is not convinced by the reasoning advanced by the Attorney-General and sees no reason why JACS should be deviating from normal accounting practice.

RECOMMENDATION 9

- 2.85 **The Committee recommends that the Department of Justice and Community Safety ensures that all its liabilities, including long service leave, are properly funded and accounted for in the 2008-09 Budget and JACS financial statements.**

Occupational Health and Safety Commissioner

- 2.86 Expenditure of \$425,000 in 2007-08, \$437,000 in 2008-09, \$450,000 in 2009-10 and \$461,000 in 2010-11 is proposed for the retention of an independent Occupational Health and Safety (OH&S) Commissioner and for the Commissioner's statutory work.
- 2.87 The Committee asked for clarification on how this funding related to the previous Commissioner. The Attorney-General stated that the previous Commissioner's position had been disestablished and its functions had become part of the newly established Office of Regulatory Services. The Government then decided that it wished to continue to have an independent statutory officer. The funding will cover the cost of the Commissioner, whose remuneration is governed by the remuneration tribunal, one support staff member and \$100,000 for tasks such as promotional work, advertising, production of brochures and the holding of occupational health and safety awards. Regulatory functions, such as the inspection of workplaces, will

remain with the Office of Regulatory Services which has about 20 compliance officers in that field.

- 2.88 The Committee asked about the balance between education on OH&S issues and enforcement. JACS officials said that they were currently looking at communication strategies with business and were aware that there was more work to be done on education.
- 2.89 The Committee notes that the Government decided to create an OH&S Commissioner within JACS rather than reinstating an independent statutory office.

RECOMMENDATION 10

- 2.90 **The Committee recommends that the ACT Government consider reinstating the Occupational Health and Safety Commissioner as an independent statutory officer.**

Department of Education and Training

Student Welfare (Pastoral care) Package

- 2.91 Expenditure of \$2,074,000 in 2007-08, \$3,987,000 in 2008-09, \$4,201,000 in 2009-10 and \$4,424,000 in 2010-11 is proposed to provide improved pastoral care and student welfare services to ACT public high school students.
- 2.92 The Committee asked how this proposal would work with existing youth services programmes. The Minister for Education and Training explained that these were additional positions to supplement ongoing work. The funding would provide for an extra 17 senior pastoral care teachers and 17 non-teaching professionals.

Harrison Primary School

- 2.93 Expenditure of \$1,420,000 in capital in 2007-08, along with associated depreciation, is proposed to supplement funding for the construction of the primary school in Harrison. The Committee understood that this money was sought because some tenders came in over budget and asked for details of those tenders. The Minister for Education and Training and officials from his

department explained that the most notable tenders to come in over budget were for steel work and block work, which collectively were \$960,000 over budget, and landscaping, which was \$920,000 over budget. This was attributed to the buoyant nature of the ACT construction market which was also reflected in the lower level of interest in tenders for other school construction projects.

- 2.94 The Committee asked why this could not be funded out of the project's contingency. Officials noted that the contingency was around 5-10% of the project budget when funded in the 2005-06 Budget but the escalation of construction costs in recent years had been greater than previous years. The Committee sought assurances that these escalation costs would not be reflected in other recent projects. The Minister said that provision had been made for both the Gungahlin college and Kambah High School site project. The costing for West Belconnen school was done before Harrison but that project is almost finished.

Indigenous education

- 2.95 Expenditure of \$482,000 in 2007-08, \$934,000 in 2008-09, \$958,000 in 2009-10 and \$982,000 in 2010-11 is proposed for a suite of strategies aimed at improving literacy and numeracy outcomes for indigenous students. The Committee asked for further detail about the package, particularly in the area of assisting in transitions between years.
- 2.96 Officials from the Department of Education and Training outlined the three elements of the package. The first is expanding the kindergarten to year 4 programme, which officials say has already shown good results, with the funding providing increased literacy and numeracy supports, both through increased analysis and employment of additional teacher consultants. The second element involves professional learning for principals and may require purchasing training programmes for them. The final element involves providing support in year 6 to indigenous students that perform well in year 5.
- 2.97 The Committee welcomes the new funding for indigenous education but remains concerned about the difficulties of transition from Year 2 in schools

with significant numbers of indigenous students eg Narrabundah Primary School, to the school where they will complete their primary education.

Curriculum Support

- 2.98 Expenditure of \$308,000 in 2007-08, \$561,000 in 2008-09, \$572,000 in 2009-10 and \$284,000 in 2010-11 is proposed to provide professional learning and software to language teachers, additional resources to support physical education and professional workshops for teachers and students in drama and dance.
- 2.99 At the Committee's request the Minister for Education and Training provided further detail on the package. The funding would provide for three additional specialist physical education teachers at approximately \$300,000 a year. The remaining money will fund the language and arts programmes. The aim of the language programme was to provide a language other than English in every public school by 2010, as currently only 34 out of 63 do. The funding will provide for 60 minutes a week for years 3 to 6 and 150 minutes a week for years 7 and 8. The aim of this funding is to alter the delivery model for languages in schools, including sharing language resources through cluster arrangements, training teachers who do not currently have language skills and providing online language programmes. Further funding either from base funding for education or from the Commonwealth will be required to recruit additional language teachers in later years.
- 2.100 The Committee inquired as to what languages would be taught. The Minister confirmed that no extra languages would be added to the curriculum which currently provides Mandarin, French, German, Indonesian, Spanish, German, Italian and Japanese.
- 2.101 The Committee welcomes the extra resources for curriculum support. The Committee is concerned, however, about the level of resources being proposed for language training. While the Committee fully supports the acquisition of languages other than English as an important skill for ACT students it is difficult to see how the proposed number of hours will have a credible impact on language ability. Further evidence would need to be provided to demonstrate that 60 minutes a week of a language other than English has a impact on students' language skills sufficient to justify the

proposed use of resources and classroom time. The Committee has not seen evidence to show that this approach to language training would yield better results than the provision of better resources to immersion programmes.

RECOMMENDATION 11

- 2.102 **The Committee recommends that the ACT Government table in the Legislative Assembly a summary of the research used to support the proposed time allocations for student learning of languages other than English.**

Water Demand Management

- 2.103 Expenditure of \$300,000 in expenses and \$375,000 in capital in 2007-08 and \$300,000 in 2008-09, along with associated depreciation, is proposed for the installation of COMTROL computer controlled irrigation systems in 15 schools and the upgrade and repair of school irrigation systems to reduce outdoor water use. Upon completion of the upgrade thirty-two schools will have the COMTROL system installed with a further 56 remaining to be upgraded.
- 2.104 The Minister was asked what guidance schools were getting in spending their funds in the most effective way. Minister for Education and Training and officials from his Department noted that ACT Government funded programmes in this area are administered centrally by the Department. Some Commonwealth funding and any upgrades initiated by the schools themselves may give rise to concerns about the most efficient changes to make. Schools can access standard building specifications that would guide them in the decision making from the Department.
- 2.105 The Committee inquired about plans to assist schools in installing water tanks. The Minister noted that there may well be Commonwealth funding available for this soon and the ACT Government would pursue it aggressively but in the meantime there are initiatives under the sustainable schools framework that can assist in tank installation.

RECOMMENDATION 12

- 2.106 **The Committee recommends that the Department of Education and Training, in cooperation with ACTEW, prepare a guide for school committees to assist in their efforts to increase water efficiency at ACT schools.**

RECOMMENDATION 13

- 2.107 **The Committee recommends that the ACT Government table in the Legislative Assembly the programme for providing all schools with COMTROL irrigation system controllers.**

RECOMMENDATION 14

- 2.108 **The Committee recommends that the ACT Government encourage schools to seek funding for water tanks from Federal Government programmes and that the ACT Government give consideration to a similar scheme with a view to water storage as well as water saving measures.**
- 2.109 Further Committee comment and a recommendation on this issue are made under the initiative of the same name proposed for TAMS.

Gungahlin Well-being Precinct

- 2.110 Expenditure of \$325,000 in capital in 2007-08, along with associated depreciation is proposed for the design of a precinct park and stormwater works for the Gungahlin well-being precinct. The Committee asked for an explanation of what the precinct entails and what organisations are involved.
- 2.111 The Minister for Education and Training explained that the precinct involves the town park, the Gungahlin college, the CIT facility, a sport and recreation facility and an enclosed oval. The funding is related to the design of the present park and stormwater works because of an existing significant stormwater channel that runs through the site.

ACT Planning and Land Authority

New Metropolitan Development Sequence and Concept Planning Programme

- 2.112 Expenditure of \$1,450,000 in 2007-08 and \$370,000 in 2008-09 is proposed to deliver an accelerated programme for the supply of residential land to the market. The Committee asked about tension between getting land onto the market as soon as possible and planning that takes into account climate change issues.
- 2.113 The Minister for Planning and officials from ACTPLA said that the funding would allow ACTPLA to meet the target of 11,000 planning ready lots within five years that was set out in the Minister's statement of planning intent. ACTPLA acknowledged that there is a tension between development and climate change generally but that ACTPLA is taking the climate change strategy into account in its activities and trying to minimise the impact of urban development on the environment. Further development is still needed in planning regulations, however, and some development is going ahead under existing controls.
- 2.114 The Committee noted that some of the funding was to be used to document the standards required by TAMS, ActewAGL and the Emergency Services Agency for Estate Development Plans. The Committee welcomed this development and asked whether there was any dispute settlement mechanism in place to deal with conflicting standards. ACTPLA explained that problems had arisen not because of conflicting standards but because ACTPLA's application form did not previously require applicants to first obtain approval from ActewAGL where easements were involved. This had allowed applications to be approved without ActewAGL's consent being sought.

Gungahlin Town Centre Planning Report and Precinct Code

- 2.115 Expenditure of \$200,000 in 2007-08 is proposed for reviewing the commercial land release requirements for the Gungahlin Town Centre and will inform

the development of the Town Centre Precinct Code. The Committee asked whether this review had been promoted by requests from developers or was because the Government wished to determine what it could put up for sale.

- 2.116 The Minister for Planning said that there had been ongoing debate about locating a major Commonwealth department in Gungahlin but that the current height limits on commercial buildings would make that uneconomic. The review will look at commercial property in Gungahlin generally but following the satisfactory completion of the review the aim is to consult with the community about raising the height limits for buildings. The proposed Commonwealth building is the major driver but there are other elements of commercial development that will be examined.

3 CONCLUSION

- 3.1 The Committee would like to thank Ministers and accompanying departmental officials for their time, expertise and cooperation during the course of this inquiry.

RECOMMENDATION 15

- 3.2 **The Committee recommends that the Legislative Assembly pass Appropriation Bill 2007-08 (No 2).**

Dr Deb Foskey MLA

Chair

3 December 2007

APPENDIX A: List of Witnesses

List of witnesses who appeared before the Committee at public hearings

Public hearing of Monday 26 November 2007

- Mr Jon Stanhope MLA, Chief Minister and Treasurer
- Mr Andrew Cappie-Wood, Chief Executive, Chief Minister's Department
- Mr Jeremy Lasek, Executive Director, Arts, Communications, Events and Protocol Division, Chief Minister's Department
- Ms Megan Smithies, Under-Treasurer, Department of Treasury
- Mr Mike Zissler, Chief Executive, Department of Territory and Municipal Services.
- Mr Bob Neil, Director, Environment and Recreation, Environment Protection and Heritage, Department of Territory and Municipal Services

Public hearing of Tuesday 27 November 2007

- Mr Simon Corbell MLA, Attorney-General, Minister for Police and Emergency Services
- Ms Renee Leon, Chief Executive, Department of Justice and Community Safety
- Mr Brett Phillips, Executive Director, Office of Regulatory Services, Department of Justice and Community Safety
- Mr Andrew Barr MLA, Minister for Education and Training, Minister for Industrial Relations, Minister for Tourism, Sport and Recreation, Minister for Planning
- Dr Michele Bruniges, Chief Executive, Department of Education and Training
- Mr Robert Donnelly, Director, Finance and Facilities, Department of Education and Training

- Ms Simonne Shepherd, General Manager, Australian Capital Tourism
- Mr Neil Savery, Chief Planning Executive, ACT Planning and Land Authority

Public hearing of Thursday 27 November 2007

- Mr John Hargreaves, Minister for Territory and Municipal Services
- Mr Mike Zissler, Chief Executive, Department of Territory and Municipal Services
- Mr Gary Byles, Executive Director, Enterprise Services, Department of Territory and Municipal Services
- Ms Karen Greenspan, General Manager, Transport Regulation and Planning, Department of Territory and Municipal Services
- Ms Sue Morrell, Executive Director, Community and Infrastructure Services, Department of Territory and Municipal Services
- Mr Russell Watkinson, Director, Parks, Conservation and Lands, Department of Territory and Municipal Services
- Mr Tom Elliott, General Manager, ACTION

APPENDIX B: Beijing Olympic Torch Relay – Draft Budget

Beijing Olympic Torch Relay - Draft Budget			
	Estimated cost		Notes
Torchbearer Selection	\$7,000.00		* 80 Torchbearer positions
			* Management of selection process
			* Security background checks
			* Briefing session
			* Accommodation & Travel
Route Development	\$220,100.00		* Planning & operation
			* Road closures
			* Law enforcement
			*Traffic management
			* Medical services
			* Waste management
			* Permits & approvals
Marketing & Promotion	\$120,000.00		
Relay Convoy	\$17,500.00		* Procurement of 16 convoy vehicles
			* Procurement of 6 buses
			* Facilitation of application of Relay signage on all vehicles
Airport & Airlines	\$10,100.00		* Landing & Takeoff Fees of charter flight
			* CASA Permits
Customs & Immigration	\$40,700.00		* Customs processing of 150pax
			* Customs duties on products
			* GST on products/equipment
			* Immigration processing of 150 pax
			* Quarantine processing
Staffing & Resourcing	\$168,722.00		3 x Staff Resources
Street Decoration	\$37,000.00		
Delegation Costs	\$8,500.00		* 3 x BOCOG visits
Events & Celebrations			
Torch Arrival Ceremony	\$1,500.00		
Pre-Relay Media Event	\$28,070.00		
Launching Ceremony	\$12,550.00		
Community Celebration Stage 88	\$133,100.00		
Relay Route Activities	\$102,900.00		
Fireworks	\$36,000.00		
Total	\$943,742.00		

APPENDIX C: Excerpt from *Review of the Role of the Commissioner for the Environment* by Darro Stinson, 6 August 2007

Either of these options provides for the Minister and or Agencies when seeking independent advice to do this through the OCE. This has a number of positive outcomes in that the advice is arms length and independent. As well the OCE would have responsibility to manage the reference group.

The management of a reference group such as this must not be taken lightly. Clear terms of reference and persistent leadership by the Commissioner will be required in order to ensure the reference group stays on topic as well as ensuring this group is challenged and is seen to be providing advice that is useful and practical in its application and supports the OCE and does not act as an independent body. The Commission would also ensure that the task oriented group is disbanded as the advice is completed.

A draft Terms of Reference is provided in Attachment A

Conclusion: Take steps to ensure that the OCES has adequate resourcing to enable the establishment of a task focussed reference groups.

9. Resource Requirements of the Office of the Commissioner for the Environment and Sustainability

This section outlines the resources for the OCE are intended to meet the statutory requirements as well as to fulfil the expanded role of the OCE.

This proposal allows for the roles and responsibilities of the OCE to be carried out in an appropriate manner and still allow for a core level of discretionary requirements associated with the uncertainties of Minister directed or Commissioner initiated investigations. Work associated with complaints over this core level, due to number or complexity, would need to be resources separately with the agreement by the Minister for Ministerial directed investigations.

Staffing and resources of the OCE will be spread over 2 years. In the first year a full time Commissioner and the SOG C would join the office of the SOG B and ASO6, bringing the office to a total of 4 FTEs. As roles and responsibilities are clearly defined and gradually implemented, the PO positions would be fully staffed in the second year.

Full time employees should be chosen for their understanding of; interrelationships between various aspects of the environment; natural processes and concepts of environmental sustainability; ACT legislation and legislative processes; fundamentals of audit and reporting; written and oral communication skills.

The .5 PO position will be for developmental/training. This position would be staffed in the OCE and would be fully funded with another agency or non government organization providing the additional funding to provide opportunity for across government understanding, continuous learning, specialized expertise when required, agency employee development, assist in the preparation of the State of the Environment Report.

Proposed Budget at the end of two years

Position	Level	Salary/Allowances
FTE Commissioner	SES 2.4	\$200,000
FTE Manager of OCE	SO B	125,000
1 FTE	SO C	102,000
2 FTE	PO 2	170,000
.5 FTE	PO 2	43,000
1 FTE	ASO 6	85,000
Total Salary		<u>725,000</u>
IT		47,000
Administration (rent, utilities, publishing)		110,000
Training/personal development		50,000
Reporting and investigations (SoE, catchment, auditing, reporting)		115,000
Reference groups		50,000
Total Operating resources		<u>372,000</u>
Total Resource Envelope		<u>\$1,097,000</u>

10. Implementation Considerations

The proposed changes to the role and functions of the Commissioner for Environment identified in this review would require amendments to the Commissioner for the Environment Act 1993. This would require a full Cabinet approval. The amendments would also have to be made in accordance with the requirements of the Human Rights Act.2004

Other legislation likely to be impacted and requiring consequential amendments could include the

Nature Conservation Act 1980;

The Tree Protection Act 2005;

Environment Protection Act 1997 and;

Yet to be in force Planning and Development Legislation 2007.