# Inquiry into the Appropriation Bill 2019-2020 (No 2)

Standing Committee on Public Accounts

March 2020

Report 10

## The Committee

### Committee Membership

Vicki Dunne MLA Chair

Tara Cheyne MLA Deputy Chair (from 20 September 2018)

Nicole Lawder MLA (from 20 September 2018)

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### Resolution of appointment

At its meeting of 13 December 2016 the Legislative Assembly resolved to create ‘a Standing Committee on Public Accounts 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; and

(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’.[[1]](#footnote-1)

On 26 October 2017 the Legislative Assembly resolved to amend the above resolution as follows:

“Insert after (e)(i)(A), the words:

(AA) matters relating to market and regulatory reform (excluding Access Canberra), public sector management, taxation and revenue.” [[2]](#footnote-2)

### Terms of reference

On 13 February 2020 the Treasurer presented to the Assembly the Appropriation Bill 2019-2020 (No 2), ‘a Bill for an Act to appropriate additional money for the purposes of the Territory for the financial year that began on 1 July 2019’, and also Supplementary Budget Papers consistent with Section 13 of the *Financial Management Act 1996*.

The Treasurer moved that the Bill be agreed to in principle, the debate was adjourned, and resumption of debate was made an order of the day for the next sitting.

The Treasurer moved that ‘the Appropriation Bill 2019-2020 (No 2) be referred to the Standing Committee on Public Accounts for inquiry and report’ and the question was put and passed.[[3]](#footnote-3)

### Acronyms

|  |  |
| --- | --- |
| Short form | Expansion |
| CHS | Canberra Health Services |
| CMTEDD | Chief Minister, Treasury and Economic Development Directorate |
| CSD | Community Services Directorate |
| Education | Education Directorate |
| EPSDD | Environment, Planning and Sustainable Development Directorate |
| JACS | Justice and Community Safety Directorate |
| Major Projects | Major Projects Canberra |
| TCCS | Transport Canberra and City Services Directorate |

Table of Contents

[The Committee i](#_Toc36189385)

[Committee Membership i](#_Toc36189386)

[Resolution of appointment ii](#_Toc36189387)

[Terms of reference iii](#_Toc36189388)

[Acronyms iv](#_Toc36189389)

[Recommendations ix](#_Toc36189390)

[1 Background 1](#_Toc36189391)

[Conduct of the inquiry 1](#_Toc36189392)

[Structure of the report 2](#_Toc36189393)

[2 *Financial Management Act 1996* 3](#_Toc36189394)

[The Act 3](#_Toc36189395)

[Committee comment 4](#_Toc36189396)

[3 Minister Andrew Barr MLA 7](#_Toc36189397)

[Introduction 7](#_Toc36189398)

[‘Cheaper parking at Canberra Stadium’ 7](#_Toc36189399)

[‘Tourism hub at the Yarramundi cultural centre’ (CMTEDD) 8](#_Toc36189400)

[‘Further work for a new rectangular Canberra stadium’ 9](#_Toc36189401)

[‘Reducing fees for business’ 10](#_Toc36189402)

[‘Supporting tourism by strengthening Canberra’s major events venues’ 12](#_Toc36189403)

[‘Learning from the first stage of light rail’ 17](#_Toc36189404)

[‘Extending light rail to Woden – Delivering Stage  2A’ 17](#_Toc36189405)

[Ethical procurement 19](#_Toc36189406)

[Committee comment 20](#_Toc36189407)

[4 Minister Suzanne Orr MLA 21](#_Toc36189408)

[Introduction 21](#_Toc36189409)

[‘Disability Justice Strategy’ 21](#_Toc36189410)

[‘Improving and expanding online services’ (CSD) 23](#_Toc36189411)

[‘Modernising procurement practices’ 25](#_Toc36189412)

[‘An independent Worksafe ACT to better protect workers in the ACT’ 25](#_Toc36189413)

[‘Meeting future ACT government accommodation needs’ 27](#_Toc36189414)

[5 Minister Gordon Ramsay MLA 29](#_Toc36189415)

[Introduction 29](#_Toc36189416)

[‘Delivering a Family Liaison officer to assist families’ 29](#_Toc36189417)

[‘Charter of Rights and additional support for victims of crime’ 31](#_Toc36189418)

[‘Strengthening support for young people and families affected by domestic and family violence’ 32](#_Toc36189419)

[‘Supporting the Environmental Defender’s Office’ 34](#_Toc36189420)

[‘Public Trustee and Guardian - Additional support for Guardianship Services’ 35](#_Toc36189421)

[‘Building regulation reform – Stage 2’ 36](#_Toc36189422)

[6 Minister Chris Steel MLA 39](#_Toc36189423)

[Introduction 39](#_Toc36189424)

[‘Learning from the first stage of light rail’ 39](#_Toc36189425)

[‘Light Rail additional services and safety infrastructure enhancements’ 40](#_Toc36189426)

[‘Planning for future light rail routes’ 41](#_Toc36189427)

[‘Extending light rail to Woden – Delivering Stage 2A’ 43](#_Toc36189428)

[‘More bus drivers for weekend services’ 44](#_Toc36189429)

[‘New Woden bus depot – stage 2’ 46](#_Toc36189430)

[‘Modernising ACT’s public transport network ticketing systems’ 49](#_Toc36189431)

[‘Kerbside Bulky Waste Collection’ 51](#_Toc36189432)

[‘Improving Tharwa Drive and Nudurr Drive’ 53](#_Toc36189433)

[‘Improving and expanding online services’ (TCCS) 54](#_Toc36189434)

[Committee comment 56](#_Toc36189435)

[7 Minister Yvette Berry MLA 61](#_Toc36189436)

[‘Continuing to work towards safe, supportive and inclusive schools’ 61](#_Toc36189437)

[‘Supporting parents and schools through new engagement grants’ 64](#_Toc36189438)

[‘Expenses associated with infrastructure and capital initiatives’ 66](#_Toc36189439)

[8 Minister Shane Rattenbury MLA 69](#_Toc36189440)

[Introduction 69](#_Toc36189441)

[‘Charter of Rights and additional support for victims of crime’ 69](#_Toc36189442)

[‘Improving our justice system’ 71](#_Toc36189443)

[‘Increasing opportunities for Aboriginal and Torres Strait Islander people involved with the justice system’ 73](#_Toc36189444)

[‘Introducing a Parole Time Credit Scheme’ 75](#_Toc36189445)

[‘Investigating Mobile Device Detection Cameras in the ACT’ 77](#_Toc36189446)

[‘Supporting young people through the Public Advocate and Children and Young People Commissioner’ 78](#_Toc36189447)

[‘Combating Climate Change – Community Liaison Officer’ 79](#_Toc36189448)

[Committee comment 80](#_Toc36189449)

[9 Minister Mick Gentleman MLA 83](#_Toc36189450)

[Introduction 83](#_Toc36189451)

[‘Extra rangers to support Urban Wildlife’ 83](#_Toc36189452)

[‘Improving water quality in Lake Tuggeranong’ 84](#_Toc36189453)

[‘Protecting endangered species’ 85](#_Toc36189454)

[‘Supporting volunteers to undertake environmental conservation’ 86](#_Toc36189455)

[‘Simplifying the Territory Plan to deliver better outcomes’ 87](#_Toc36189456)

[‘Strengthening bushfire preparedness’ 88](#_Toc36189457)

[‘Enhanced forensic medical services’ 90](#_Toc36189458)

[10 Minister Rachel Stephen-Smith MLA 91](#_Toc36189459)

[Introduction 91](#_Toc36189460)

[‘Supporting growing demand for health services’ 91](#_Toc36189461)

[‘Cultural tourism hub at the Yarramundi Cultural Centre’ (CSD) 94](#_Toc36189462)

[‘Building capacity in Child and Youth Protection Services’ 96](#_Toc36189463)

[‘Increased support for the Bimberi Youth Justice Centre’ 97](#_Toc36189464)

[‘More support for the Out of Home Care system’ 98](#_Toc36189465)

[Committee comment 100](#_Toc36189466)

[Appendix A – Selected relevant provisions of the *Financial Management Act 1996* 103](#_Toc36189467)

[Appendix B – Witnesses 109](#_Toc36189468)

## Recommendations

[Recommendation 1](#_Toc36189469)

[6.71 The Committee recommends that the ACT Government should report to the Legislative Assembly on the increase in charges to the Government as a result of more frequent light rail services by the last day of sittings in August 2020.](#_Toc36189470)

[Recommendation 2](#_Toc36189471)

[6.74 Some members of the Committee recommend that the Minister for Transport and City Services provide a full description of the single-select tender for the network ticketing system to the Assembly before it passes the Appropriation Bill 2019-2020 (No 2).](#_Toc36189472)

[Recommendation 3](#_Toc36189473)

[6.76 The Committee recommends that the ACT Government explore introducing family and/or household discounts as part of a new public transport ticketing system.](#_Toc36189474)

[Recommendation 4](#_Toc36189475)

[6.78 The Committee recommends that *Fix My Street* should be given priority in work done under the appropriation item ‘Improving and expanding online services’.](#_Toc36189476)

[Recommendation 5](#_Toc36189477)

[6.80 The Committee recommends that the ACT Government ensure that the bulky waste booking system provides pictorial examples of what constitutes 2 square metres of bulky waste.](#_Toc36189478)

[Recommendation 6](#_Toc36189479)

[6.82 The Committee recommends that the ACT Government allow for some flexibility in the rollout of the Kerbside Bulky Waste Collection program in new suburbs if residents exceed the 2 square metres of waste allowable under the program.](#_Toc36189480)

[Recommendation 7](#_Toc36189481)

[10.44 A majority of members of the Committee recommend that the ACT Government advise the Legislative Assembly why an anticipated $60 million operating deficit for Canberra Health Services for the 2019-20 financial year was only identified in late 2019, and to outline the causes of that deficit.](#_Toc36189482)

## Background

### Conduct of the inquiry

* 1. On 20 December 2019 the Standing Committee was advised that the ACT Government would introduce a supplementary appropriation bill in the Assembly in February 2020, and that the Bill would be referred to the Committee.[[4]](#footnote-4) On 13 February 2020, the Assembly referred the Appropriation Bill 2019-2020 (No 2) to the Committee for inquiry and report. [[5]](#footnote-5)
  2. The Committee held hearings on 28 February and 2 and 4 March 2020. The following ministers and their officers appeared before the Committee:
     + the Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment;[[6]](#footnote-6)
     + the Minister for Community Services and Facilities, Minister for Disability, Minister for Employment and Workplace Safety and Minister for Government Services and Procurement;[[7]](#footnote-7)
     + the Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans;[[8]](#footnote-8)
     + the Minister for City Services, Minister for Multicultural Affairs, Minister for Recycling and Waste Reduction, Minister for Roads and Active Travel and Minister for Transport; [[9]](#footnote-9)
     + the Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Health and Minister for Urban Renewal; [[10]](#footnote-10)
     + the Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women; [[11]](#footnote-11)
     + the Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health; [[12]](#footnote-12) and
     + the Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services.[[13]](#footnote-13)

### Structure of the report

* 1. The report includes the present introduction (Chapter 1) and relevant provisions of the   
     *Financial Management Act 1996*, which are also set out in greater detail in a table provided at Appendix A.
  2. The report then considers matters under each minister’s responsibility in the order ministers appeared before the Committee.
  3. Each appropriation item listed in the 2019-20 Budget Review is dealt with under two headings: ‘Program’ and ‘Finances’. The subsections consider the purpose and financial arrangements for each appropriation, initially quoting the description and financial figures from the Budget Review before going on to set out matters considered by Committee in the course of its inquiry.

## *Financial Management Act 1996*

### The Act

* 1. The *Financial Management Act 1996* provides at Section 6 that ‘No payment of public money must be made otherwise than in accordance with an appropriation’.[[14]](#footnote-14)
  2. Relevantly, the Act also provides that:
     + the Treasurer may authorise ‘temporary advances’;[[15]](#footnote-15)
     + Appropriation Acts may make appropriations for controlled recurrent payments, capital injection, or payments on behalf of the Territory;[[16]](#footnote-16)
     + the Treasurer must on presenting the bill for the first Appropriation Act of the financial year, provide certain information to the Assembly in the form of ‘budget papers’;[[17]](#footnote-17)
     + the proposed budget for a financial year must include certain information;[[18]](#footnote-18)
     + a proposed budget must state the purposes of financial policy objectives and strategies;[[19]](#footnote-19)
     + if the Treasurer presents in the Assembly an additional or further budget for a financial year, the Treasurer must also present supplementary budget papers;[[20]](#footnote-20)
     + an additional budget for a financial year is considered to amend the first budget of the year; [[21]](#footnote-21)
     + the Treasurer may authorise transfers of funds between appropriations, between classes of appropriations, and between entities, and rollovers of appropriated funds where funds have not been fully expended in a financial year;[[22]](#footnote-22)
     + the Treasurer may authorise a ‘Treasurer’s advance’, subject to certain constraints, and that if there is a supplementary budget, Treasurer’s advances are taken to be made out of that supplementary budget;[[23]](#footnote-23)
     + the Treasurer may authorise reductions in Treasurer’s advances;[[24]](#footnote-24)
     + the Treasurer is obliged to advise the Assembly of Treasurer’s advances and / or reductions to Treasurer’s advances;[[25]](#footnote-25) and that
     + an Appropriation Act may make an appropriation for a capital works reserve, subject to certain conditions.[[26]](#footnote-26)

### Committee comment

* 1. The requirement stated in Section 6 of the Act that payment of public money can only be made after the money is appropriated is an established feature of the system of government employed in the ACT,[[27]](#footnote-27) and as codified in the *Bill of Rights 1689*.[[28]](#footnote-28) The other provisions indicated above afford some discretion to the Treasurer for practical purposes in order to provide a measure of flexibility between appropriation bills.
  2. The provisions of the *Financial Management Act 1996* form a hierarchy. Section 6 is the fundamental provision, which supports the due authorisation of the expenditure of public money, and the thorough consideration of proposals for expenditure by the Assembly. Other provisions, which accord a measure of discretion to the Treasurer to make adjustments—within certain prescribed boundaries—mean that there is some flexibility in financial arrangements, so long as they do not detract from the anchoring principle that appropriation will be duly considered and authorised by the Assembly.
  3. These principles come into play in this report where the Committee considers whether appropriations are for measures which are new or are business as usual. The overriding principle is that the Assembly should have an opportunity to consider all expenditure. For that reason, there is a valid argument that inclusion in the main yearly budget is preferable to adding items to a supplementary appropriation, where it is likely that the Assembly will have less of an opportunity to scrutinise the proposed expenditure. For this reason, there is an implicit principle that supplementary appropriations should not be sought to support business as usual expenditure.
  4. Similarly, ‘cash managing’, where government entities provide themselves with greater discretion over new or altered expenditures by, for example, delaying hiring to positions so as to create a working financial surplus that can be applied to other initiatives, should be kept within bounds so as to serve, appropriately, the principle that the Assembly should be the arbiter of all appropriations.
  5. It is the view of some members of the Committee that many of the appropriations set out in the Appropriation Bill 2019-2020 (No 2) are either not new initiatives or do not have a degree of urgency attached to them that would in normal circumstances prompt a supplementary appropriation.[[29]](#footnote-29)
  6. Some members of the Committee were concerned about an exchange with the Chief Minister regarding the ‘Tax Reform Advisory Group’, where it was suggested that the manner in which the funds were being managed presumed that the Assembly would make the appropriation and the Chief Minister argued that it was reasonable to know, in this regard, that the Bill would be passed due to the Government’s numbers in the Chamber. These Members take the view that being able to command a majority of votes in the Chamber is not equivalent to giving the Assembly an appropriate opportunity to consider the Bill, and that in this instance the Government risked spending money without it first being appropriated, which could be contrary to Section 6 of the *Financial Management Act*.[[30]](#footnote-30)

## Minister Andrew Barr MLA

### Introduction

* 1. This chapter considers appropriation items under the responsibility of Minister Andrew Barr MLA, Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment. Minister Barr appeared before the Committee with his officers on 28 February 2020.[[31]](#footnote-31)

### ‘Cheaper parking at Canberra Stadium’

#### Program

* 1. The Budget Review stated that the ACT Government would ‘reduce early bird parking fees at GIO Stadium from $7 to $5 for major fixtures’.[[32]](#footnote-32)
  2. The appropriation for this item represented $40,000 in foregone revenue in 2019-20 and the following three years, amounting to a total of $160,000 foregone.[[33]](#footnote-33)
  3. In hearings, the Committee asked the Treasurer the meaning of the term ‘major events’ and what had prompted the appropriation which was part of a package of assistance to the Raiders and the Brumbies.[[34]](#footnote-34)

#### Finances

* 1. The Committee asked whether the initiative had begun before appropriation had been made, and how financial resourcing had been managed in anticipation of the Bill being passed. The Acting Under Treasurer told the Committee that this was not a substantive concern because the item involved ‘an amount of revenue foregone’ rather than ‘an appropriated amount’.[[35]](#footnote-35)

### ‘Tourism hub at the Yarramundi cultural centre’ (CMTEDD)

#### Program

* 1. The Budget Review stated, regarding ‘tourism hub at the Yarramundi cultural centre’:

The Government will work with the Aboriginal and Torres Strait Islander Elected Body and the Aboriginal and Torres Strait Islander community to identify options to create an Aboriginal and Torres Strait Islander cultural tourism precinct and business hub at the Yarramundi Reach Cultural Centre. The work will also include the development of a strategic vision to establish community control and management for the Yarramundi Cultural Centre.[[36]](#footnote-36)

* 1. In hearings, when asked about the $273,000 assigned to the appropriation item, the Chief Minister told the Committee that this was a jointly funded initiative between the Community Services Directorate and the Chief Minister, Treasury and Economic Development Directorate.[[37]](#footnote-37)
  2. Later in hearings, the Minister for Aboriginal and Torres Strait Islander Affairs told the Committee that there were two elements to the proposal, which is why it had expenses for both the Community Services Directorate (CSD)and the Chief Minister, Treasury and Economic Development Directorate (CMTEDD).[[38]](#footnote-38) The Minister told the Committee that the CSD component was ‘to establish community control and management for Yarramundi cultural centre’ while CMTEDD focused on the tourism hub proposal.[[39]](#footnote-39)

#### Finances

* 1. The Budget Review stated that the appropriation for this item included $173,000 for expenses of the Community Services Directorate (CSD) and a further $100,000 for expenses of the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) in the 2019-20 financial year. There were no other funds allocated to the item for 2020-21, 2021-22 or 2022-23, and so the total appropriation was $273,000. [[40]](#footnote-40)
  2. In hearings, the Committee asked how CMTEDD would expend $100,000 for the project in the remaining three months of the financial year. The Executive Branch Manager, Office for Aboriginal and Torres Strait Islander Affairs, CSD, told the Committee that the $100,000 was ‘to undertake the feasibility study to build new facilities and infrastructure at the Yarramundi cultural centre’.[[41]](#footnote-41)

### ‘Further work for a new rectangular Canberra stadium’

#### Program

* 1. The Budget Review stated in relation to ‘Further work for a new Rectangular Canberra Stadium’, that:

The Government will fund further site analysis, consultation and investigation of potential rectangular stadium sites at Civic Pool and EPIC. The ACT Infrastructure Plan identifies a new Rectangular Stadium as a long-term priority.[[42]](#footnote-42)

* 1. In hearings, the Treasurer told the Committee that the sites being considered for this initiative were EPIC (Exhibition Park in Canberra), the site of Canberra Olympic Pool, and the Institute of Sport precinct in Bruce.[[43]](#footnote-43)He told the Committee that the ‘preferred’ site of Canberra Olympic Pool would require the realignment of Parkes Way to create a parcel of land that was big enough for a stadium. It also required the relocation of the nearby stormwater retention pond and roundabout at the intersection of Parkes Way and Coranderrk Street. A complication, he told the Committee, was that the Commonwealth owned the section of Parkes Way adjacent to the site. As a result, alterations to Parkes Way would depend on both the Commonwealth’s ‘engagement’ (that is, expenditure) and its planning approval.[[44]](#footnote-44)
  2. Further complications arose, he told the Committee, in connection with the orientation of a stadium on the site, in particular questions over the capacity to grow grass, ‘with or without a roof’ over the playing surface.[[45]](#footnote-45)
  3. The Treasurer noted that there had been heightened speculation in the media about the Commonwealth’s intentions for the Australian Institute of Sport (AIS). He told the Committee that while ‘the preferred options’ focused on Civic, the AIS precinct, or ‘other parcels of land in that Bruce precinct’ owned by the ACT or the Commonwealth, remained ‘within scope for a rebuild of Canberra stadium’.[[46]](#footnote-46) The work funded by the appropriation, he told the Committee, would ‘allow the government to make a clear and informed decision on the best possible site, given the various constraints’.[[47]](#footnote-47)

#### Finances

* 1. The Budget Review provided figures for this item as follows: [[48]](#footnote-48)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | 2019-20 | 2020-21 | 2021-22 | 2022-23 | **Total** |
| $’000 | $’000 | $’000 | $’000 | **$’000** |
| Expenses | 200 | 0 | 0 | 0 | **200** |

* 1. In hearings, the Committee asked the Treasurer how he was proposing to spend the $200,000 indicated in the appropriation, given that he would have at best three months before the end of the financial year. The Executive Group Manager, Property and Venues, Commercial Services and Infrastructure, CMTEDD told the Committee that ‘a lot of work’ had been done already and that they expected that it would be a ’12 or 14-week study’. It would combine ‘all of the technical work’ done so far to see whether the Civic site was feasible.[[49]](#footnote-49)

### ‘Reducing fees for business’

#### Program

* 1. The Budget Review stated, for 'Reducing fees for business':

The Government is reducing the cost for the first year of new outdoor dining permits to zero and deliver a 50 per cent reduction on the fee payable for all outdoor dining permits from 1 February 2020. This initiative will lower the overall costs for businesses requiring an outdoor dining permit in Canberra and make it easier for businesses to grow.[[50]](#footnote-50)

* 1. It also stated that the Government would reduce hawker licence fees ‘to zero’ to encourage ‘the development of more varied microbusinesses and social enterprises in the ACT’.[[51]](#footnote-51)
  2. In hearings, the Committee asked the Treasurer as to why the Government introduced this measure. The Treasurer told the Committee that, first, he regarded it as ‘appropriate, in the context of the impact over the summer period from the various weather events, smoke being the most obvious’. Second, he told the Committee, it aligned with ‘previous government policies to both give trial periods or fee rebate periods to new businesses to expand their outdoor dining’ and to provide for ‘the streamlining of the administrative process around the allocation of that public space’.[[52]](#footnote-52)
  3. He told the Committee that this initiative was part of ‘a broader night-time economy development strategy’ and ‘tourism hospitality industry development strategy’, and that the initiative was an extension of ‘everything [he had ] done previously in these areas’.[[53]](#footnote-53)
  4. The Treasurer told the Committee that the fee reduction was ‘automatic’: a business did not need to make an application to receive the reduction. The initiative also reduced hawker licence fees ‘to zero’ to support ‘microbusiness’ and ‘social enterprises’.[[54]](#footnote-54)

#### Finances

* 1. The Budget Review provided figures for this item as follows: [[55]](#footnote-55)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | 2019-20 | 2020-21 | 2021-22 | 2022-23 | **Total** |
| $’000 | $’000 | $’000 | $’000 | **$’000** |
| Revenue | -93 | -183 | -186 | -190 | **-652** |

* 1. In hearings, the Treasurer confirmed that the whole of the appropriation for 'Reducing fees for business' consisted of revenue foregone.[[56]](#footnote-56)

### ‘Supporting tourism by strengthening Canberra’s major events venues’

#### Program

* 1. The Budget Review stated:

The Government will provide funding to Venues Canberra to ensure the financial sustainability of ongoing programs and events within Territory Venues and Events (TVE), and the National Arboretum Canberra (NAC). The Government will provide additional funding to host international cricket events, and support domestic cricket. In addition, the Government will provide additional support to Brumbies Rugby for the 2020 and 2021 seasons. These initiatives will continue to grow visitation to Canberra which will support our local tourism industry. The cost of the initiative will be partially offset by revenue generated from ticket sales.[[57]](#footnote-57)

* 1. In hearings, when asked about the initiative, the Treasurer told the Committee that it was ‘principally’ a subsidy for entities wishing to hire venues for new sporting events. There was ‘an expense in revenue allocated to this’ because arrangements for events held in ACT venues ‘will vary depending on the commercial agreement with the hirer’. The ACT Government was, however, due to ‘the success of our major events in recent times’, no longer ‘giving the hirer a subsidy on coming to Canberra in the first place’ and then allowing them to keep ‘all of the ticketing revenue on top of that’.[[58]](#footnote-58)
  2. He told the Committee that this was the result of the infrastructure investments such as those at Manuka Oval, which meant that commercial returns were ‘starting’ to be ‘commensurate with other venues’. There was a cost when a major event promoter brought an event to Canberra, but if the infrastructure was ‘sufficient’ then that cost could be ‘offset by the ticket price’. So far, the ACT was ‘not yet at that point for pretty well everything’: there were some events which managed to operate ‘without a level of public subsidy, but not many’.[[59]](#footnote-59)

#### Financial

* 1. The Budget Review provided figures for this item as follows: [[60]](#footnote-60)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | 2019-20 | 2020-21 | 2021-22 | 2022-23 | **Total** |
| $’000 | $’000 | $’000 | $’000 | **$’000** |
| Expenses | 4,201 | 4,142 | 4,038 | 4,102 | **16,483** |
| Associated Revenue | 1,084 | 1,026 | 1,051 | 1,078 | **4,239** |

#### ‘Extending the Affordable Rental Incentive for private landlords’

#### Program

* 1. Regarding this appropriation item, the Budget Review stated:

The Government will extend the Affordable Community Housing Land Tax Exemption pilot scheme until 30 June 2023. The pilot scheme offers landlords a land tax exemption if they rent their properties at below 75 per cent market rate through an eligible Community Housing provider. Extending the pilot scheme will provide landlords with additional confidence to participate in the scheme and support Canberrans looking for affordable rental opportunities.[[61]](#footnote-61)

* 1. In hearings, the Committee asked why the appropriation item showed a zero figure for the present financial year and why, if there was no cost, it was necessary to make a supplementary appropriation in this case. The Treasurer told the Committee that the appropriation was to acknowledge a unanimous resolution of the Assembly and to signal continuity to landlords.[[62]](#footnote-62)

#### Finances

* 1. The Budget Review provided figures for this item as follows: [[63]](#footnote-63)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 2019-20 | 2020-21 | 2021-22 | 2022-23 | **Total** |
| $’000 | $’000 | $’000 | $’000 | **$’000** |
| Revenue 0 | -70 | -150 | -240 | **-460** |

* 1. In responding to questions about whether it was necessary to make a supplementary appropriation for this item, the Acting Under Treasurer told the Committee:

It is fairly standard practice that, when the government produces this budget review, it advises the decisions it has made that affect the budget over that time. It is fairly standard to put in those measures, even in this case where it has an impact over the forward estimates rather than the current year. It is really providing information about decisions that it has made. It is really a reporting exercise, in the main, in this case.[[64]](#footnote-64)

#### 'Tax Reform Advisory Group'

#### Program

* 1. For this appropriation item the Budget Review stated:

The Government will provide support for the Tax Reform Advisory Group to analyse the impact and outcomes of the tax reform program to date. This analysis will inform policy settings for the next phase of the Government’s tax reform program, to be announced later this year.[[65]](#footnote-65)

* 1. The Committee asked questions about the role, membership and selection of members, and plans to spend $466,000 on the Tax Reform Advisory Group. The Treasurer told the Committee that the initiative grew from a series of resolutions passed by the Assembly about work to be undertaken to inform the further stages of tax reform and an analysis of the impact of tax reform to date. This appropriation will fund that modelling and to inform future decision-making.[[66]](#footnote-66)
  2. The Acting Under Treasurer told the Committee that the largest part was to fund consultancies to analyse the impact of the tax reform program to date and to help provide guidance on the third tranche. The appropriation funded consultancies as well as staffing in Treasury to cover coordination, and analysis and policy advice.[[67]](#footnote-67)

#### Finances

* 1. The Budget Review provided figures for this item as follows: [[68]](#footnote-68)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | 2019-20 | 2020-21 | 2021-22 | 2022-23 | **Total** |
| $’000 | $’000 | $’000 | $’000 | **$’000** |
| Expenses | 466 | 0 | 0 | 0 | **466** |

* 1. In hearings, the Committee noted that there had been a commitment to expending $110,000 before the main figure of $466,000 was appropriated. When asked whether it was accurate to say that the $110,000 expenditure had been ‘cash managed’ in anticipation of the $466,000 appropriation be made, the Acting Under Treasurer agreed. When asked why this approach was taken rather than seeking a Treasurer’s advance, the Acting Under Treasurer told the Committee that ‘a Treasurer’s advance cannot be used if there is an opportunity to seek the funds through appropriation’. As a result, he told the Committee, in this case ‘as soon as there [was] an appropriation bill we [needed] to try to seek that through the appropriation bill rather than use a Treasurer’s advance’, as this was more in keeping with the terms of the *Financial Management Act*.[[69]](#footnote-69)
  2. The Committee asked whether in managing the item in this way the Government presumed that the Assembly would appropriate the money required. The Treasurer indicated that this was a reasonable assumption because the Assembly had called for this work and the Government had the numbers in the Chamber.[[70]](#footnote-70)
  3. The Committee asked how the balance of funds allocated for this item, of $300,000, would be expended. The Acting Deputy Under Treasurer told the Committee that this would fund an additional two positions. When a visitor to the Committee commented that $300,000 over four months appeared to be ‘a lot of money’ for two staff over four months, the Acting Under Treasurer told the Committee:

We are working around estimates, what the modelling will cost and whether we need to do any follow-up modelling or any additional work. Anything that we do not need to spend will be returned to budget.[[71]](#footnote-71)

* 1. The Committee also asked why this item was not included in the budget for 2019-20 when it would run for almost a full financial year. The Treasurer told the Committee that the Assembly did not pass the resolution calling for the initiative until after the budget process.[[72]](#footnote-72)

#### ‘Taking light rail to Woden – Raising London Circuit’

#### Program

* 1. Concerning ‘Taking light rail to Woden – Raising London Circuit’ the Budget Review stated:

The Government will undertake raising the southern end of London Circuit to be level with Commonwealth Avenue, restoring the historic intersection. This will allow for the operation of Light Rail Stage 2A along this route and better east-west pedestrian connectivity in the southern section of the CBD. Funding for these works has been provisioned.[[73]](#footnote-73)

* 1. In hearings, the Treasurer told the Committee that this work would involve connecting Edinburgh Avenue to Vernon Circle, which would ‘mirror’ the already-completed connection of Constitution Avenue to Vernon Circle.[[74]](#footnote-74)

#### Finances

* 1. For this initiative, the Budget Review provides the following figures: [[75]](#footnote-75)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | **Total**  **$’000** |
| Capital | 2,500 | 0 | 0 | 0 | **2,500** |
| Offset – Capital Provision | 0 | NFP | NFP | NFP | **NFP** |
| **Total Capital** | **2,500** | **NFP** | **NFP** | **NFP** | **2,500** |

* 1. In hearings, the Committee asked on what the $2.5 million allocated to the item would be spent. The Chief Projects Officer, Major Projects Canberra, told the Committee it would cover design work, surveying, utilities locations work, legal work etc. The $2.5 million was being applied towards those works, specifically in relation to raising London Circuit.[[76]](#footnote-76)

### ‘Learning from the first stage of light rail’

#### Program

* 1. For this item the Budget Review stated:

The Government will provide funding to assist in identifying lessons learnt and best practice to inform delivery of future infrastructure projects and stages of light rail.[[77]](#footnote-77)

* 1. In hearings, the Committee noted the proposed expenditure of $88,000 for this item and asked what was expected to be learned from the exercise. The Chief Projects Officer, Major Projects Canberra, told the Committee it was primarily administrative to go back through documentation on light rail stage 1 to ensure that all the lessons of stage 1 were applied to the second stage of the project. The allocation was for an additional staff member. [[78]](#footnote-78)

#### Finances

* 1. The Budget Review showed figures for this item as follows:[[79]](#footnote-79)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 2019-20 | 2020-21 | 2021-22 | 2022-23 | **Total** |
| $’000 | $’000 | $’000 | $’000 | **$’000** |
| Expenses 88 | 0 | 0 | 0 | **88** |

### ‘Extending light rail to Woden – Delivering Stage  2A’

#### Program

* 1. For this item the Budget Review stated:

The Government is committed to extending the light rail to Woden. The Government will undertake detailed design works for Light Rail Stage 2A, which is the City to Commonwealth Park section of the City to Woden route. Funding for these works has been provisioned.[[80]](#footnote-80)

* 1. In hearings, the Committee asked as to the mode of procurement employed for this item. The Chief Projects Officer, Major Projects Canberra, told the Committee that light rail stage 2A is being procured as one single project of works. including the raising of London Circuit for light rail stage 2A and the relocation of utilities.[[81]](#footnote-81) The Chief Projects Officer also told the Committee that the ACT Government were ‘in sole-source negotiations with Canberra Metro for the procurement of light rail stage 2A, and have been for some time’ because ‘light rail stage 2A is an extension of light rail stage 1’.[[82]](#footnote-82)
  2. When asked about the demarcation between the ACT Government’s due diligence and that of the consortium, the Chief Projects Officer told the Committee that both working very closely and both parties the incentive is to de-risk the project as much as possible.[[83]](#footnote-83)
  3. The Committee asked why the government was spending money for the design of raising London Circuit, and the consortium was also doing work, but the government and the consortium had not signed an agreement for work on Stage 2A. The Chief Projects Officer told the Committee the process that was similar to an early contract-involvement model. It was important that Canberra Metro was involved because when it came to the point of entering into the main contract, they would hold an appropriate level of risk.[[84]](#footnote-84)
  4. When asked if Canberra Metro was currently contracted to do work for the Government, the Chief Projects Officer told the Committee that the consortium was doing work for the Government, which the Government was paying for separately.[[85]](#footnote-85)
  5. The Committee asked what would happen if the consortium did not offer a proposal that was acceptable to the ACT Government and how the ACT Government drew the line between design work it had asked the consortium to do and the development of the consortium’s bid but, despite lengthy replies, these questions were only partially answered.

#### Financial

* 1. The Budget Review showed figures for this item as follows: [[86]](#footnote-86)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | **Total**  **$’000** |
| Capital | 31,400 | 0 | 0 | 0 | **31,400** |
| Offset – Capital Provision | 0 | NFP | NFP | NFP | **NFP** |
| **Total Capital** | **31,400** | **NFP** | **NFP** | **NFP** | **31,400** |

### Ethical procurement

* 1. In hearings, the Committee noted plans for wireless operation of Stage 2A of light rail, thus requiring that batteries be fitted to light rail vehicles. It asked the Minister for Government Services and Procurement how the ACT Government would guarantee that the materials used to make those batteries were procured in a way that was satisfactory from an ethical point of view, and thus meet its obligations under the *Modern Slavery Act 2018* (Cth).[[87]](#footnote-87) The Minister told the Committee:

we will keep looking at what we can do. Part of the appropriation and part of the work that we are hoping to do is to start to answer some of these questions that you have just posed, look at how we can work our way through those very sorts of questions, noting that we are a small jurisdiction and this is a worldwide issue.[[88]](#footnote-88)

* 1. The Under Treasurer told the Committee:

it is beyond our capability to ensure every supply chain of every purchase ourselves; we just do not have the physical capability to do it. In tender processes, we do ask for tenderers to demonstrate good procurement and sub-procurement practices. On bigger procurements, we can dive into those issues and make assessments ourselves. We rely on third-party regulatory and licensing practices where they are available. And if there is a reputable third-party institution that has authorised or stated that a company complies with these sorts of procedures, we will generally accept that; we will not generally re-check that.[[89]](#footnote-89)

* 1. The Executive Branch Manager, Procurement ACT, CMTEDD, told the Committee:

I think the threshold for reporting under the commonwealth legislation is $100 million, and $50 million for New South Wales. That is the threshold for reporting for companies or turnovers. I am not sure whether it is turnovers or value. At the end of the day, it is a worldwide issue and we are looking to see what other jurisdictions are doing.[[90]](#footnote-90)

### Committee comment

* 1. For the appropriation items considered in this chapter, some members of the Committee are of the view that there are no strong arguments as to why they should be subject to supplementary appropriations, that many are continuations of programs already begun, and that it is difficult to identify palpable risks that would emerge if a supplementary appropriation were not made.[[91]](#footnote-91)

## Minister Suzanne Orr MLA

### Introduction

* 1. This chapter considers appropriation items under the responsibility of Minister Suzanne Orr MLA, Minister for Community Services and Facilities, Minister for Disability, Minister for Employment and Workplace Safety and Minister for Government Services and Procurement, who appeared before the Committee with her officers on 2 March 2020.[[92]](#footnote-92)

### ‘Disability Justice Strategy’

#### Program

* 1. Regarding the Disability Justice Strategy, the Budget Review stated:

The Government is progressing the development and implementation of the Disability

Justice Strategy through the delivery of the First Action Plan to improve responses for

people with disability in the justice system. This initiative will strengthen support to

individuals with disability including through:

* the implementation of a community of practice comprising disability justice workers across key frontline justice agencies;
* the development and delivery of specific education and training to improve general awareness of justice needs of people with disability and how the system could respond;
* support to increase decision-making autonomy for people with disability; and
* improving screening and identification of people with disability in contact with the justice system to enable early support and intervention.[[93]](#footnote-93)
  1. In hearings, the Committee asked the Minister to outline the program and its time-frame. The Minister for Disability told the Committee that the strategy was designed to create a community of practice within the justice community that broke down barriers for people with disability accessing justice services. The Minister went on to explain that there was a four-year action plan associated with the strategy and that this funding went towards implementation, although the first parts of the action plan had been put into action.[[94]](#footnote-94)
  2. The Senior Director, Office for Disability, CSD, told the Committee the Disability Justice Strategy was ‘about creating equality for people with disability, with the law’, which entailed ‘engaging with all of our justice agencies to ensure that they see people with disability and are confident and skilled in providing appropriate supports’.[[95]](#footnote-95)
  3. She told the Committee that people with disability experience significant compounding disadvantage in engagement with law and justice and are over-represented in the prison system, in youth detention, as victims of sexual assault and violence.[[96]](#footnote-96)
  4. She also told the Committee that data gathering was a further important part of the initiative because there was a lack of data regarding people with disability in the ACT.[[97]](#footnote-97)

#### Finances

* 1. The Budget Review showed figures for the Disability Justice Strategy as follows: [[98]](#footnote-98)

|  | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| --- | --- | --- | --- | --- | --- |
| Expenses – Community Services Directorate | 308 | 397 | 529 | 558 | 1,792 |
| Expenses – Legal Aid Commission | 27 | 118 | 121 | 122 | 418 |
| Expenses – Justice and Community Safety Directorate | 335 | 599 | 747 | 1,027 | 2,678 |
| Total Expenses | 670 | 1,114 | 1,397 | 1,707 | 4,888 |

* 1. In hearings, the Committee asked the Minister how the $670,000 allocated for this item for the current financial year would be expended. The Minister told the Committee that much of the funding would go to ‘four positions put in place to work within our partner agencies to … drive that cultural change so that it [was] embedded within those organisations’.[[99]](#footnote-99)
  2. The Committee asked about expenditure for this item in the out-years indicated in the table above. The Senior Director told the Committee that this work would be an ongoing part of the four-year action plan. The bulk of the funding would go toward creating a community of practice, but an additional four staff would be brought on in stages.[[100]](#footnote-100)

### ‘Improving and expanding online services’ (CSD)

#### Program

* 1. Regarding ‘Improving and expanding online services’ the Budget Review stated:

The Government will provide a new cloud-based digital platform to deliver more efficient customer services. The Government is committed to upgrading ICT systems that support improved services for residents of the ACT and the seamless access to services.[[101]](#footnote-101)

* 1. This initiative has significant components within CSD and TCCS. The TCCS component is considered further below in this report.
  2. In hearings, the Committee asked on what the CSD component of this initiative—$2.155 million—would be spent. The Deputy Director-General, Community Services Directorate (CSD) told the Committee it was to link ‘multiple systems that do not link’. She told the Committee that building infrastructure to collect, analyse and use available data would provide better support for decision-making, help the Directorate extract information, and replace manual processes.[[102]](#footnote-102)

#### Finances

* 1. The Budget Review presented figures for this appropriation item as follows: [[103]](#footnote-103)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | 2019-20 | 2020-21 | 2021-22 | 2022-23 | **Total** |
| $’000 | $’000 | $’000 | $’000 | **$’000** |
| Capital – Transport Canberra and | 2,970 | 2,672 | 153 | 136 | **5,931** |
| City Services Directorate |  |  |  |  |  |
| Capital – Community Services Directorate | 649 | 1,506 | 0 | 0 | **2,155** |
| **Total Capital** | **3,619** | **4,178** | **153** | **136** | **8,086** |
| Depreciation – Transport Canberra | 324 | 943 | 1,186 | 1,186 | **3,639** |
| and City Services Directorate  Depreciation – Community | 0 | 72 | 431 | 431 | **934** |
| Services Directorate  Associated Expense – Transport | 0 | 1,220 | 1,200 | 1,200 | **3,620** |
| Canberra and City Services  Directorate  Associated Expense – Community | 50 | 171 | 664 | 396 | **1,281** |
| Services Directorate  Offset – Associated Expenses – | 0 | 0 | -300 | -300 | **-600** |
| Transport Canberra and City  Services Directorate |  |  |  |  |  |
| **Net Expenses** | **374** | **2,406** | **3,181** | **2,913** | **8,874** |

* 1. The Committee noted that under this initiative CSD would be obliged to expend $649,000 in the current financial year, and asked how it would do this. The Deputy Director-General told the Committee that ‘money to date’ had been ‘used to undertake the feasibility study and the prioritisation of the work’.[[104]](#footnote-104) The Committee noted that work had already begun on the program, and asked when work had commenced. The Deputy Director-General told the Committee there had been a ‘significant start’ in January 2020 and agreed that this work had been cash-managed in the expectation of an appropriation.[[105]](#footnote-105)
  2. Regarding the expenditure of the funds, the Deputy Director-General told the Committee:

There are a number of licences that we need to fund in order to start to get people the access to the systems we need, particularly for record keeping. We also need to put in place some of the infrastructure, the design and the build work. So we need to pay for that initially, particularly the design work in terms of what we need in order to do the build going forward.[[106]](#footnote-106)

* 1. The Committee asked whether this appropriation was for preparation work for the main project that would be completed in the following financial year, and asked about capital expenditure for the project. The Deputy Director-General told the Committee told that the capital element was ‘to support the design work—the analysis, the design work and the build’, and then ‘the testing and validating of those systems in order to support implementation and the culture change program that we will need to embed for people to use the system’.[[107]](#footnote-107)

### ‘Modernising procurement practices’

#### Program

* 1. For ‘Modernising Procurement Practices’ the Budget Review stated:

The Government will invest resources to ensure that the Territory’s procurement policies and processes optimise support for delivering effective procurement and advancing social outcomes.[[108]](#footnote-108)

#### Finances

* 1. The Budget Review presented figures for this appropriation item as follows: [[109]](#footnote-109)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses | 100 | 0 | 0 | 0 | 100 |

* 1. The Committee asked how CMTEDD would expend the $100,000 allocated for this program within the current financial year. The Deputy Under Treasurer told the Committee CMTEDD had found a candidate for the position, who would start work in two weeks. That person’s work would be used to help accelerate ‘thinking and … engagement across government’.[[110]](#footnote-110) The appropriation would also pay for independent expert advice.[[111]](#footnote-111)

### ‘An independent Worksafe ACT to better protect workers in the ACT’

#### Program

* 1. Regarding ‘An independent Worksafe ACT to better protect workers in the ACT’, the Budget Review stated:

The Government will strengthen the ACT’s work health and safety regulator by establishing WorkSafe ACT as an independent entity, increasing the number of WorkSafe ACT inspectors, and establishing a new data analytics capability. The cost of the initiative will be partly offset by an increase in the Work Safety and Workers’ Compensation Regulatory Levy.[[112]](#footnote-112)

* 1. In hearings, the Committee asked for an outline of the initiative. The Executive Group Manager, Workplace Safety and Industrial Relations, CMTEDD, told the Committee that the appropriation was intended to fund ‘very significant changes to the way that the territory conducts its compliance enforcement of workplace health and safety legislation’. He told the Committee that this was a response to a 2018 independent review of work safety compliance and enforcement, to which the Government had responded in October 2018 by ‘accepting all of the recommendations in principle’.[[113]](#footnote-113)
  2. When asked about new governance arrangements as a result of the changes, the Executive Group Manager told the Committee that these involved a new structure and organisational changes.[[114]](#footnote-114)

#### Finances

* 1. The Budget Review presented figures for this initiative as follows: [[115]](#footnote-115)

|  | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| --- | --- | --- | --- | --- | --- |
| Expenses | 744 | 2,595 | 2,657 | 2,687 | 8,683 |
| Associated Revenue | 0 | 2,102 | 2,152 | 2,176 | 6,430 |

* 1. The Committee asked on what the $744,000 allocated for the current financial year would be expended. The Executive Group Manager told the Committee it would provide some of the positions, including the new WHS commissioner.[[116]](#footnote-116) There will also be a finance and budget support manager and a media and communications adviser. There is also funding for an inspectorate resource, focusing on psychological health initiatives. There is also money to commence the scoping and procurement of a new ICT system.[[117]](#footnote-117)

### ‘Meeting future ACT government accommodation needs’

#### Program

* 1. For the item ‘Meeting future ACT government accommodation needs’ the Budget Review stated:

The Government will provide funding for the fit-out of a leased office building for various agencies and statutory authorities which cannot be accommodated within the Civic and Dickson office buildings. The proposal will be partially offset by savings from reduced rental expenses achieved through co-locating these agencies and statutory authorities into a more efficient office space.[[118]](#footnote-118)

* 1. In hearings, the Committee asked about the additional $10 million allocated under this item. The Under Treasurer told the Committee many leases were coming up for renewal in the next 12 to 18 months and that the government took a decision to centralise the procurement of the replacement of the office space. The Government was negotiating with a preferred tenderer and the $10 million appropriation would meet the transition and capital costs of fitting out the new accommodation.[[119]](#footnote-119)

#### Finances

* 1. For this item the Budget Review provided the following figures: [[120]](#footnote-120)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| *Empty Cell* | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Capital | 9,138 | 0 | 0 | 0 | 9,138 |
| Capital – Provision | 0 | NFP | 0 | 0 | NFP |
| Total Capital | 9,138 | NFP | 0 | 0 | NFP |
| Associated Expenses | 924 | 0 | 0 | 0 | 924 |
| Associated Expenses – Provision | 0 | NFP | NFP | NFP | NFP |
| Net Expenses | 924 | NFP | NFP | NFP | NFP |

* 1. When asked whether it was possible for the funding appropriated for the current financial year would be expended in the financial year, the Under Treasurer told the Committee that there were ‘two possibilities that [were] still under negotiation’:

that through the negotiations we will either pay for that fit-out with a capital contribution, which is what the capital amount of that is for, or we may negotiate an arrangement where we essentially pay that off through the rent, in which case we will have to adjust our plans.[[121]](#footnote-121)

* 1. When asked whether this was a possible capital expenditure, which may ultimately include another way of paying for the fit-out, the Under Treasurer agreed, advising that the ACT Government would ‘determine which is the best offer made by the building owner’.[[122]](#footnote-122)
  2. When asked again why an additional $10 million had been added in the supplementary budget for this item, the Under Treasurer told the Committee that when the original appropriation was made in the 2019-2020 Budget the Government ‘had not gone to market and did not know what was on offer’.[[123]](#footnote-123)

## Minister Gordon Ramsay MLA

### Introduction

* 1. This chapter considers appropriation items under the responsibility of Minister Gordon Ramsay MLA, Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans, who appeared before the Committee with his officers on 2 March 2020.[[124]](#footnote-124)

### ‘Delivering a Family Liaison officer to assist families’

#### Program

* 1. The Budget Review stated for the item ‘Delivering a Family Liaison Officer to Assist Families’ that the officer would ‘help to improve access to justice for families involved and develop a restorative approach for people involved in these processes’.[[125]](#footnote-125)
  2. In hearings, Minister Ramsay told the Committee that the family liaison officer is part of the broader work around the restorative cities and bringing a restorative approach across government.[[126]](#footnote-126) The *Coroners Act* had seen a range of legislative reforms. The family liaison officer would work with families to help them understand the process and support them along the way.[[127]](#footnote-127)

#### Finances

* 1. The Budget Review presented figures for this initiative as follows: [[128]](#footnote-128)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses | 38 | 76 | 77 | 78 | **269** |

* 1. In hearings, the Committee asked how many FTEs (Full-Time Equivalent staff) would be funded for the initiative, and at what level. The CEO and Principal Registrar, ACT Courts and Tribunal, told the Committee that it would fund one FTE at ASO (Administrative Services Officer) Level 6.[[129]](#footnote-129)
  2. Minister Ramsay told the Committee that the position would be ‘partly funded through the budget and partly funded through the confiscation of criminal assets’, and that this was ‘why the numbers are as they are’.[[130]](#footnote-130) The Director-General of the Justice and Community Safety Directorate (JACS) told the Committee that half of the funding for the one FTE liaison officer position would come from budget, while the other half would come from the confiscated assets trust.[[131]](#footnote-131)
  3. When asked about the timing of funding for the position, the Chief Finance Officer, JACS, told the Committee that the appropriation was intended to cover the period January 2020 to June 2020.[[132]](#footnote-132) The CEO and Principal Registrar told the Committee that the position was open at present, but a person was ‘just about’ to be recruited: he was hoping that an advertisement would ‘go out this week or next, and then we will try and get someone started within the next four or five weeks’.[[133]](#footnote-133)
  4. The Committee asked whether it would be possible to expend the money within the current financial year, to which the CEO and Principal Registrar replied that this was ‘a good question’.[[134]](#footnote-134) The Director-General, JACS, told the Committee that the Directorate would ‘not know the precise numbers until [it knew] the actual timing of the commencement date’, but:

If, by the time the recruitment is available, the officer is engaged for three months then that will satisfy the payment to that person. If it is longer than three months then the additional amount will be made up from allocations from the CAT fund.[[135]](#footnote-135)

### ‘Charter of Rights and additional support for victims of crime’

#### Program

* 1. Regarding the appropriation item ‘Charter of Rights and additional support for victims of crime’, the Budget Review stated:

The Government will provide funding to implement a Charter of Rights for Victims of Crime (the Charter) to give victims rights and assist victims to access their rights. The Charter will provide victims with information and opportunities to be heard, and access to a complaints pathway where rights are not upheld.

The Government will also continue to support victims of family violence and other violent crimes to access therapeutic support aimed at minimising the traumatic impacts of crime, improving personal safety and assisting victims and their families to actively pursue recovery.[[136]](#footnote-136)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[137]](#footnote-137)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses – Justice and Community Safety Directorate | 215 | 449 | 486 | 495 | **1,645** |
| Expenses – ACT Policing | 0 | 135 | 149 | 152 | **436** |
| **Total Expenses** | **215** | **584** | **635** | **647** | **2,081** |

* 1. In hearings, the Committee noted that during the budget estimates process for 2019-2020 questions had been raised about removal of funding by the Safer Families Levy,[[138]](#footnote-138) and asked whether the present appropriation represented the replacement of that money. Minister Ramsay told the Committee that it did.[[139]](#footnote-139)
  2. The Minister told the Committee it was always the government’s intention to work with Legal Aid, the courts and others to continue the funding that had previously been under the safer families levy.[[140]](#footnote-140)
  3. When asked whether this appropriation replaced everything that had previously been funded from the Safer Families Levy, the Director-General, JACS, told the Committee that the initiative provided funding for everything previously funded except an ICT officer within the courts which was being dealt covered internally by the court.[[141]](#footnote-141)
  4. The Committee was assured that this measure would sustain the funding for all of the frontline services that go to support victims of family violence, within both the court and Legal Aid.[[142]](#footnote-142)

### ‘Strengthening support for young people and families affected by domestic and family violence’

#### Program

* 1. Regarding the appropriation item ‘Strengthening support for young people and families affected by domestic and family violence’, the Budget Review stated:

The Government will continue its investment in strengthening legal and court support services for vulnerable young people and families impacted by domestic and family violence, previously funded by the Safer Families Levy. The resources will contribute to continuing Legal Aid’s Family Violence Unit based at the ACT Magistrates Court and enhance court processes for Family Violence Orders to improve outcomes for victims of violence. This initiative will also improve access to legal assistance for young people and their families through the introduction of a Legal Liaison pilot program in schools. The cost of this initiative will be partially offset by reprioritising existing resources in the Education Directorate.[[143]](#footnote-143)

* 1. When asked to define ‘enhanced processes for family violence orders’, what the processes were, and what was being enhanced. The CEO and Principal Registrar told the Committee that this stemmed from ‘reforms that came into force in 2017, which overhauled the legislative framework’.[[144]](#footnote-144) He told the Committee the main initiative was conferencing and protections for unrepresented parties.[[145]](#footnote-145)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[146]](#footnote-146)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses – Justice and Community Safety Directorate | 0 | 250 | 256 | 260 | 766 |
| Expenses – Legal Aid Commission | 0 | 313 | 321 | 329 | 963 |
| Expenses – Education Directorate | 82 | 85 | 0 | 0 | 167 |
| Offset – Expenses – Education Directorate | -82 | -85 | 0 | 0 | -167 |
| Net Expenses | 0 | 563 | 577 | 589 | 1,729 |

* 1. When asked whether the arrangements described under the appropriation item were already in place, the CEO and Principal Registrar told the Committee that they had been ‘for the last couple of years’ and that the appropriation ‘allows us to continue those arrangements.[[147]](#footnote-147)
  2. When asked why it had been included in the supplementary appropriation rather than the 2019-2020 Budget, if the program was a continuation of work done over previous years, the CEO and Principal Registrar told the Committee:

It is just a change in funding source. It had been originally funded from the safer families levy and it is now coming straight from budget. The reference in these papers is simply recognising that shift and the way that it has become a mainstream service and part of our base budget.[[148]](#footnote-148)

### ‘Supporting the Environmental Defender’s Office’

#### Program

* 1. Regarding the appropriation item ‘Supporting the Environmental Defender’s Office’, the Budget Review stated:

The Government will continue to support the Environmental Defender’s Office to provide community legal assistance services on environmental matters. The ACT Government has been supporting the operations of this and other community legal services since 2016 to ensure certainty in the face of Commonwealth changes to the National Partnership Agreement on Legal Assistance Funding.[[149]](#footnote-149)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[150]](#footnote-150)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses | 75 | 150 | 0 | 0 | **225** |

* 1. The Minister told the Committee that, nationally, Environmental Defenders Offices had merged at the end of the previous calendar year. He agreed that this meant that Environmental Defender officers around the country had become, in essence, a national office with branch offices, and that ‘the savings and the implications for funding [would] probably not be known for the next 18 months’.[[151]](#footnote-151)

### ‘Public Trustee and Guardian - Additional support for Guardianship Services’

#### Program

* 1. Regarding the appropriation item ‘Public Trustee and Guardian - Additional support for Guardianship Services’, the Budget Review stated:

The Government will provide an additional two full-time staff in the Guardianship Unit of the ACT Public Trustee and Guardian to address the needs of vulnerable citizens who have a plan with the National Disability Insurance Scheme (NDIS).[[152]](#footnote-152)

In hearings, the Committee asked how many clients would be covered by the two additional full-time staff provided for under the appropriation. The Public Trustee and Guardian, JACS, told the Committee that it would help address the approximately 35 unallocated clients in the service. Across the board guardians and public trustee has seen an increased workload and this funding would help to address that. In addition, Australia has obligations under the United Nations Convention on the Rights of Persons with Disabilities—specifically, in relation supported decision-making framework.[[153]](#footnote-153)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[154]](#footnote-154)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses | 128 | 260 | 264 | 267 | 919 |

* 1. When asked, the Public Trustee and Guardian told the Committee that the two additional staff provided for under the appropriation had not been engaged. He told the Committee that the Public Trustee and Guardian was ‘largely self-funding, except for the official visitor role and the guardianship function’. His office had received ‘about $933,000 in funding for the guardianship function’, but the ‘reality’ was that ‘the public trustee side of the organisation has been subsidising the guardianship unit, which is not appropriate’.[[155]](#footnote-155)
  2. When asked how the appropriation would be expended in the balance of the financial year if the staff had not yet been engaged, the Public Trustee and Guardian told the Committee:

We have already been spending the money without the appropriation; that is what I am saying. We will be partly repaying the public trustee and guardian’s budget. Once their staff are engaged the appropriation will pay for those.[[156]](#footnote-156)

### ‘Building regulation reform – Stage 2’

#### Program

* 1. Regarding the appropriation item ‘Building regulation reform – Stage 2’, the Budget Review stated:

The Government will accelerate work on a licensing scheme for property developers and progress the building regulation reform program. This builds on the Government’s commitment to ensure those in the building industry are accountable for their work and to ensure Canberrans have high quality homes.[[157]](#footnote-157)

* 1. In hearings, when asked about elements of licencing reform in this area, the Director, Building Policy, Environment, Planning and Sustainable Development Directorate (EPSDD) told the Committee they were consulting on the findings of the review of the ACT licensing system.[[158]](#footnote-158)
  2. When asked to whom new licensing requirements would apply, and whether this would include plumbers, electricians, carpenters, people with builders’ licences, architects, draftsmen and engineers, the Director told the Committee that this was ‘a live question in the ACT’.[[159]](#footnote-159)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[160]](#footnote-160)

|  | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| --- | --- | --- | --- | --- | --- |
| Expenses | 636 | 800 | 0 | 0 | 1,436 |

* 1. In hearings, when asked how the appropriations for the current and next financial year augment what was already being done, the Deputy Director-General, EPSDD, told the Committee the focus is on developer licensing and some of the stage 2 reforms.[[161]](#footnote-161)
  2. When asked how the $636,000 would be expended before the end of the current financial year, the Chief Financial Officer, EPSDD, told the Committee that $167,000 of the expenditure was for two positions at 0.5 FTE each for six months, one at Senior Officer Grade A (SOG A) and one at SOG C.[[162]](#footnote-162)
  3. When asked whether those positions would continue into the new financial year, the Chief Financial Officer told the Committee:

Obviously the money will transfer over to the new financial year. Within our business cases we do have some flexibility to move between FTE and also our supply consultant contractor, given that we understand it is coming up to March already, and there is only, like you said, a quarter of the year left. We would round it up and use that money for a contract consultant to get the work.[[163]](#footnote-163)

* 1. When asked whether contractors were already engaged or there would be a procurement to select them, the Deputy Director-General told the Committee:

We are just doing some recruitment at the moment to get someone in to start setting up the project. We are just in the process of that at the moment. The funding also for the contractor consultancies that makes up a bit under half of that amount for this year is to do with potential specific, focused legal advice that we may need, particularly around the licensing and the dispute resolution work.[[164]](#footnote-164)

## Minister Chris Steel MLA

### Introduction

* 1. This chapter considers appropriation items under the responsibility of Minister Chris Steel MLA, Minister for City Services, Minister for Multicultural Affairs, Minister for Recycling and Waste Reduction, Minister for Roads and Active Travel and Minister for Transport, who appeared before the Committee with his officers on 2 March 2020.[[165]](#footnote-165)

### ‘Learning from the first stage of light rail’

#### Program

* 1. Regarding the appropriation item ‘Learning from the first stage of light rail’, the Budget Review stated:

The Government will provide funding to assist in identifying lessons learnt and best practice to inform delivery of future infrastructure projects and stages of light rail.[[166]](#footnote-166)

* 1. When asked the purpose of the appropriation, the Chief Projects Officer, Major Projects Canberra, told the Committee:

The $88,000 is for an administrative resource [that is, a member of staff] for part of the year. As we move through the contract negotiations for light rail stage 2, and as we have requests for information relating to light rail stage 1, there is a need for us to go back into light rail stage 1 documents and refresh our memories as to what happened so that we are learning those lessons from stage 1 in stage 2. It is a short duration administrative piece of help to enable us to do that as we move through stage 2 negotiations.[[167]](#footnote-167)

* 1. The Chief Projects Officer told the Committee:

This person will be brought on board to help us through the administrative processes of going back through our stage 1 documentation, primarily to assist with what we are doing with light rail stage 2 contract negotiations but, invariably, when we have FOI requests or other requests for that information, that person will be a much-needed resource within the team to help us work through those things.[[168]](#footnote-168)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[169]](#footnote-169)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses | 88 | 0 | 0 | 0 | 88 |

* 1. When asked, the Chief Projects Officer told the Committee that Major Projects was waiting for the appropriation to be made before it employed the additional staff member.[[170]](#footnote-170)

### ‘Light Rail additional services and safety infrastructure enhancements’

#### Program

* 1. Regarding the appropriation item ‘Light Rail additional services and safety infrastructure enhancements’, the Budget Review stated:

The Government will provide additional services to respond to demand levels being higher than originally forecast. Phase 1 from 3 February 2020 will initially extend services in both the morning and afternoon peak periods. Phase 2 from 28 April 2020 will increase service frequency to every five minutes during the morning peak period, further extend the period of peak services in the afternoon, as well as commence services an hour earlier on Sunday mornings and public holidays. The Government will also make minor improvements to safety infrastructure in the light rail system.

The cost of this initiative will be partially offset by reprioritising existing resources in the Transport Canberra and City Services Directorate.[[171]](#footnote-171)

* 1. When asked about the response to additional light rail services, Minister Steel told the Committee that there were two tranches of changes: one that came into force in February that extending the peak periods in the morning from 9 am to 9.30 am and the afternoon peak to 3 pm rather than 4 pm; and the second changes, scheduled for April of extending the afternoon peaks to 7 pm and commencing Sunday services at 7 am.[[172]](#footnote-172)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[173]](#footnote-173)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses | 330 | NFP | NFP | NFP | NFP |
| Depreciation | 0 | NFP | NFP | NFP | NFP |
| **Total Expenses** | **330** | **NFP** | **NFP** | **NFP** | NFP |
| Associated Capital | 740 | NFP | NFP | NFP | NFP |

* 1. In hearings, the Committee noted that multiple columns in the Budget Review for this item were marked ‘Not for Publication’, and asked why these figures were not publishable. Minister Steel told the Committee:

We are currently working through final negotiations with Canberra Metro on the delivery of the changes, so the final cost is not available, but we will make it available.[[174]](#footnote-174)

* 1. The Minister agreed that the original contract with Canberra Metro was based on pre-February headways and peak periods and that the expansion of services represented an additional charge to the Territory.[[175]](#footnote-175)

### ‘Planning for future light rail routes’

#### Program

* 1. Regarding the appropriation item ‘Planning for future light rail routes, the Budget Review stated:

The Government will continue investing in light rail future network planning to ensure that data and modelling is up to date to support future decisions. This planning will relate to Stage 3 which extends from the City to Belconnen and on to the Airport and Stage 4 which extends the light rail from Woden to Tuggeranong. This initiative will be delivered from within existing resources.[[176]](#footnote-176)

* 1. When asked what was being procured under this item, the Acting Deputy Director-General, TCCS, told the Committee that the appropriation was for advisory services ‘to undertake some due diligence on the route alignments along the corridors’.[[177]](#footnote-177)
  2. One option for the southerly route was ‘the Barton dog leg going via Old Parliament House’. A second was ‘the Capital Circle option’. A third option was ‘the National Capital Plan transport corridor around State Circle’.[[178]](#footnote-178)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[179]](#footnote-179)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses | 100 | 150 | 0 | 0 | 250 |
| Offset – Expenses | -100 | -150 | 0 | 0 | -250 |
| Net Expenses | 0 | 0 | 0 | 0 | 0 |

* 1. When asked whether it was true that this appropriation involved a ‘net zero’, and whether such an item would normally be considered as agency-funded, the Acting Deputy Director-General agreed, and told the Committee:

The net zero outcome for that item is that we will be offsetting the cost for the feasibility study for light rail stages 3 and 4 within existing recurrent budgets. That is where the published zero has come from.[[180]](#footnote-180)

### ‘Extending light rail to Woden – Delivering Stage 2A’

#### Program

* 1. Regarding the appropriation item ‘Extending light rail to Woden – Delivering Stage 2A’, the Budget Review stated:

The Government is committed to extending the light rail to Woden. The Government will undertake detailed design works for Light Rail Stage 2A, which is the City to Commonwealth Park section of the City to Woden route. Funding for these works has been provisioned.[[181]](#footnote-181)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[182]](#footnote-182)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Capital | 31,400 | 0 | 0 | 0 | 31,400 |
| Offset – Capital Provision | 0 | NFP | NFP | NFP | NFP |
| Total Capital | **31,400** | **NFP** | **NFP** | **NFP** | 31,400 |

* 1. When asked the $31 million indicated in the appropriation would be used for, the Chief Project Officer, Major Projects, told the Committee:

The $31.4 million includes quite a variety of different works. First and foremost there is the detailed design work, which is ongoing. Through our arrangements with Canberra Metro, there are also other design works and design review works which are undertaken through our own direct contractors. There is a body of work going on at the moment around updating the technical specifications in the contract for light rail stage 2A. There is a variety of surveying, utilities locating work and other site investigation work underway and planned for the future. There is geotech work which is to happen. There are, of course, agency costs.[[183]](#footnote-183)

* 1. In relation to ‘agency costs’, he told the Committee, these were:

costs associated with all of the work that we are doing—environmental surveys, potential environmental offsets, heritage surveys and traffic modelling. There is a lot of legal work ongoing at the moment and contract negotiations. So there is a legal component to it. There are works that are ongoing associated with the approvals processes, both the EPBC work, which has been noted recently, works and development approvals and other potential physical and agency works there. The amount covers a wide basket of activities.[[184]](#footnote-184)

* 1. When asked about Benefit-Cost Ratio (BCR) of Light Rail Stage 2A, the Chief Project Officer told the Committee that it was similar to the 1.2 BCR calculated for Light Rail Stage 1. When asked whether this represented a 20 per cent return on investment, the Chief Project Officer told the Committee that the BCR referred to ‘an economic rather than a financial return’, but confirmed that a BCR of 1.2 would indicate that ‘for every dollar spent, there [was] an economic return of $1.20’.[[185]](#footnote-185)

### ‘More bus drivers for weekend services’

#### Program

* 1. Regarding the appropriation item ‘More bus drivers for weekend services’, the Budget Review stated:

The Government will increase the number of bus drivers in 2019-20 in order to improve weekend services delivering Network19. The Government is committed to maintaining high levels of service reliability by ensuring we have a sufficient workforce of well trained bus drivers.[[186]](#footnote-186)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[187]](#footnote-187)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses | 1,483 | 0 | 0 | 0 | 1,483 |
| Associated Depreciation | 0 | 5 | 5 | 5 | 15 |
| **Total Expenses** | **1,483** | **5** | **5** | **5** | 1,498 |
| Associated Capital | 100 | 0 | 0 | 0 | 100 |

* 1. When asked whether this was a one-off expenditure of $1.4 million for new bus drivers, Minister Steel told the Committee:

It is not a one-off. We are underway with developing a workforce development plan for Transport Canberra. We are waiting to look at what the outcomes of that development plan are for the forward years, but we thought that we needed around 43 drivers this year. The FTE numbers are somewhat less than that; that is because we are recruiting part-time and casual drivers. Since 28 April last year, we have recruited 66 part-time drivers and 21 casuals. We are looking at recruiting further drivers with this funding allocation from the budget review.[[188]](#footnote-188)

* 1. When asked whether the Directorate would be able to expend the appropriation within the current financial year, the Minister told the Committee that he believed that it would, as the training course for bus drivers was ‘not particularly long’ and new training sessions commenced as cohorts completed their training. He also told the Committee that expenditure included salaries for trainee bus drivers as well as their training.[[189]](#footnote-189)
  2. When asked about ‘rolling recruitment’, the Executive Group Manager, Transport Operations, TCCS, told the Committee that:

The actual recruitment of drivers is always ongoing because we lose drivers through the normal workforce attrition. The additional cost has been to uplift that recruitment to allow us an extra 43 full-time equivalents. That is not necessarily 43 actual people; it is spread over the part-time role, so that could be a number that is more than 43.[[190]](#footnote-190)

* 1. She also told the Committee:

The cost also includes an extension of training facilities within the buildings that we are currently in. That means we can now commence four courses per month instead of three. That allows us to increase the number of drivers that we are putting through the training. The actual budget is for physical amenities. Also, with additional drivers come additional lockers, coin bags and things like that, which are on-costs that we need to consider.[[191]](#footnote-191)

### ‘New Woden bus depot – stage 2’

#### Program

* 1. Regarding the appropriation item ‘New Woden bus depot – stage 2’, the Budget Review stated:

The Government will complete the construction of a new Woden Bus Depot for up to 120 buses with funding for stage 2 of the works. The works include undercover parking facilities for diesel and new electric buses, staff carparking and maintenance facilities.[[192]](#footnote-192)

* 1. When asked what the appropriation was for, the Minister told the Committee:

This is stage 2 of the Woden bus depot upgrades and includes funding for maintenance and facilities to maintain buses at the depot. That will include 14 bus workshop bays; spare part storage, including for large panels and tyres; staff car parking required to meet development application approval; and shelter for overnight parking of buses. There are also intersection upgrades that are now required for the project.[[193]](#footnote-193)

* 1. He told the Committee:

As well, this will fund the fit-out and commissioning of the depot. We have been in detailed discussions particularly with the diesel mechanics and their representatives, the Australian Manufacturing Workers Union, about what we need to provide as part of this upgrade, and this will facilitate the construction.[[194]](#footnote-194)

* 1. When asked why a decision had been made to maintain a bus depot at Woden, the Minister told the Committee:

The main benefits of it are to reduce dead running times. When a bus has to go back to the depot for a range of operational reasons and is not carrying passengers, we think it is strategically placed in the bus network and will provide those benefits. It is also an opportunity to have brand new workshop facilities for staff, which is good, and the ability to build in those elements around potential charging infrastructure in the future as well to charge a zero emissions bus fleet. It provides a range of opportunities.[[195]](#footnote-195)

* 1. The Executive Group Manager, Transport Operations, told the Committee:

The most important thing, probably, aside from the opportunity for electric buses or a zero emissions bus, is that we need to alleviate the pressure that is on the Tuggeranong and Belconnen depots that are already full. Actually running buses from Woden will be more efficient. It is important to get it built and get those buses in there as soon as we can.[[196]](#footnote-196)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[197]](#footnote-197)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Capital | 1,000 | 14,000 | 2,000 | 0 | 17,000 |
| Depreciation | 0 | 0 | 425 | 425 | 850 |
| Associated Expenses | 900 | 675 | 173 | 345 | 2,093 |
| Total Expenses | **900** | **675** | **598** | **770** | 2,943 |

* 1. When asked whether this appropriation represented the whole budget for the new Woden bus depot, the Minister told the Committee that where the present appropriation was listed as Stage 2. Stage 1 had been funded in 2017-18 for $27.5 million, which paid for the demolition of former buildings on the site, environmental work including a transition from unbunded fuel enclosures and environmental remediation of fuel and waste oil storage facilities.[[198]](#footnote-198)
  2. The Executive Branch Manager, Infrastructure Delivery, City Services, TCCS, told the Committee that:

the original funding in 2017-18 for the $25 million commenced the construction. We have relocated the high-pressure gas main to the south of the site—out into the southern verge of Paramatta Street—which allows the building envelope to expand on the site, which allows us more buildable ground. We are currently relocating the major sewer line, which runs north-south on the site, further to the east on the site, which again increases the buildability within the block.[[199]](#footnote-199)

* 1. He told the Committee:

The contaminants that Minister Steel spoke about did include asbestos. In the demolition of the existing old Woden bus depot, there were a number of items of asbestos—lagging around pipes, eave-type materials and stuff like that, which needed to be disposed of. But, as Minister Steel also highlighted, there had been underground fuel tanks on the site … [[200]](#footnote-200)

* 1. For the fuel tanks, he told the Committee:

There had been some minor remediation—more at the ground level—but we had to go in and remediate further down as well. Effectively, we build bunded fuelling facilities these days, which are above ground. They have protection around them so that the contaminants cannot get into the ground. There had also been some waste oil storage on the site. We had to go in and remediate some of the soil around that, as well. [[201]](#footnote-201)

* 1. When asked what that remediation entailed, the Executive Branch Manager told the Committee:

We can take the decontamination to a number of different levels. We wanted to try to get the site removed from the EPA’s contaminated sites register, so we actually took a more invasive remediation. We removed quite a bit of soil, and that went to an approved disposal site. By doing that we can remove the site from the contaminated sites register. If we cannot quite get to that level, we can just go to a yearly monitoring of it.[[202]](#footnote-202)

* 1. The Minister agreed that the original $25 million appropriation was used to take the site to ‘ground zero’ so that construction could begin on the new depot.[[203]](#footnote-203) Structures were not part of Stage 1, other than hardstand for bus parking.[[204]](#footnote-204)
  2. The Executive Branch Manager, Infrastructure Delivery, told the Committee:

Just to give a little more detail to that, when we construct a facility like this, or it may be a school or a hall or anything like that, there are a number of stages that we work on. Some of them are predicated on a DA, some of them are not. We have commenced the service relocation and stuff like that. They are not predicated on a DA; they are predicated on approvals by the utilities providers, Icon Water et cetera, and those approvals have been granted, which allow us to then relocate those services.[[205]](#footnote-205)

* 1. He told the Committee:

For a demolition there is a DA [Development Application] which is associated with that as well. That DA was lodged and allowed us to demolish the old facility. Minister Steel is now talking about a subsequent DA, which then allows us to commence the construction of the new facility itself—the hard stand, the administrative building, the workshop, the car park and the bus shelter et cetera.[[206]](#footnote-206)

* 1. The Committee asked why, in light of the need for a further Development Application before buildings could be constructed on the site, appropriation for Stage 2 was being sought in the supplementary appropriation and not in the next Budget at the beginning of the 2020-2021 financial year. The Minister told the Committee:

The reason was that we were still undergoing that detailed consultation with regard to the design of the workshops and the final design was not at a point where it could be included within the budget, but we were able to do that in the budget review once we had gone through further consultation with them and we finalised what we were intending to get out of the project. There were a number of other complexities to this project. One of them was that a third party decided to build a service station across the road, a 7-Eleven, which has meant that we have had to take that into consideration around traffic in the area.[[207]](#footnote-207)

* 1. He also told the Committee:

There will be signalisation that will be required on Athllon Drive and Shea Street and we are also taking into consideration the parking, particularly for bus drivers, provided within the facility. That has added some complexity to the project, but we will still be proceeding.[[208]](#footnote-208)

### ‘Modernising ACT’s public transport network ticketing systems’

#### Program

* 1. Regarding the appropriation item ‘Modernising ACT’s public transport network ticketing systems’, the Budget Review stated:

The Government will procure a smart technology ticketing system for Canberra’s integrated public transport system for use on both bus and light rail to replace the ageing MyWay ticketing system and the NXTBUS system. This system, which is expected to be introduced in the ACT in 2022, will provide real-time information for passengers, facilitate better payment solutions and allow flexibility in fares to accommodate the transport solutions for all Canberrans.[[209]](#footnote-209)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[210]](#footnote-210)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Capital | 7,513 | NFP | NFP | NFP | NFP |
| Depreciation | 656 | NFP | NFP | NFP | NFP |
| Associated Expenses | 0 | NFP | NFP | NFP | NFP |
| Total Expenses | 656 | NFP | NFP | NFP | NFP |

* 1. The Committee noted columns marked ‘NFP’ [‘Not For Publication’] in the financial statement for the appropriation and asked on what the $650,000 would be spent. The Executive Group Manager, Transport Operations, told the Committee:

Currently we are in the process of ticketing procurement. We are progressing, though, with placing orders for hardware, purchasing hardware which is in the capital and the depreciation figures. But on top of that there is also vendor appointment, systems design and other associated expenses.[[211]](#footnote-211)

* 1. The Committee asked whether the Directorate was purchasing hardware without knowing who the operator would be. The Minister told the Committee that the Government was ‘finalising the procurement at the moment’ and as a result could not ‘release details about the final cost’ because it was still under procurement.[[212]](#footnote-212)
  2. He told the Committee that the Government was currently engaged in a sole-source procurement with a single provider. This had come to pass because when a tender went out to market it ‘did not get the outcome that [it] wanted in terms of cost and capability, and this had led to the current process, which he hoped would be finalised soon.[[213]](#footnote-213)
  3. When asked how this scenario had led to a decision to proceed with a sole-source procurement, and how the Government had selected the provider, the Minister told the Committee that he was not able to answer because commercial negotiations had not been concluded.[[214]](#footnote-214)
  4. The Committee asked how it was that an appropriation of $7.5 million was being sought when no contract had been concluded, asked whether the funds could be expended within the current financial year, and asked on what the funds would be spent. Again, the Minister did not answer these questions, stating that he was not in a position to answer while commercial negotiations were on foot.[[215]](#footnote-215)

### ‘Kerbside Bulky Waste Collection’

#### Program

* 1. Regarding the appropriation item ‘Kerbside Bulky Waste Collection’, the Budget Review stated:

The Government will provide a household bulky waste collection service, commencing in Gungahlin and Tuggeranong from 1 July 2020, followed by a phased roll-out of the service across Canberra. This service will provide households with one free collection per year of bulky waste such as furniture, garden tools or household appliances.[[216]](#footnote-216)

* 1. When asked about eligibility for the program, the Deputy Director-General, City Services, told the Committee:

the service will be available to all households who request it. We are in procurement right now, but the service we are seeking is that all households will be able to apply for a once-a-year collection of bulky waste items up to about two cubic metres—two trailer loads is the way to think about it.[[217]](#footnote-217)

* 1. He told the Committee:

The interesting part of this is how to resolve it. Single detached housing is quite straightforward; it is the multi-units that present the difficulties. That is where we are working through the models and what would be best to do. Obviously, that is part of what we are trying to work out right now, but everyone is eligible. [[218]](#footnote-218)

* 1. He also told the Committee:

We currently already perform a bulky waste pick-up service for eligible concession card holders. We have been doing that for a number of years and that will continue. That is at no cost.[[219]](#footnote-219)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[220]](#footnote-220)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses | 490 | NFP | NFP | NFP | **NFP** |
| Revenue | 0 | NFP | NFP | NFP | **NFP** |
| Total Expenses | 490 | NFP | NFP | NFP | 490 |

* 1. The Committee asked for further information on what the $490,000 in this appropriation would be spent. The Deputy Director-General told the Committee:

We have an officer who is leading this, who is project managing this, and then there is also the development, all the procurement and all the work that goes into the research and other bits and pieces. The $490,000 has covered that. That was the initial amount to do what we needed to do.[[221]](#footnote-221)

* 1. He told the Committee:

The other thing the $490,000 goes to is the booking system. ACT NoWaste will manage the booking system. We are developing the booking system; that $490,000 has gone to that. The booking system we are developing is still in development, to be released, but it is more than just bulky waste. It will cover all services: red bin, yellow bin, green bin, bulky waste. There is a fair bit there. There is the design and development of those systems, plus our design and development of bulky waste, and the procurement of it. There is a lot in that and there is a lot to develop those systems. The $490,000 has gone towards that. [[222]](#footnote-222)

### ‘Improving Tharwa Drive and Nudurr Drive’

#### Program

* 1. Regarding the appropriation item ‘Improving Tharwa Drive and Nudurr Drive’, the Budget Review stated:

The Government will develop duplication options for Tharwa Drive in Tuggeranong and the extension of Nudurr Drive in Gungahlin.[[223]](#footnote-223)

* 1. The Committee asked whether the Government intended to extend Nudurr Drive. The Minister told the Committee:

We committed at the last election to undertake a feasibility study on this, and this is what we are delivering through this measure. A lot has changed over the years in relation to this potential road corridor and that is what we want to look at through this feasibility. There are now a number of blocks of land which are environmental offsets and the like and cannot be developed on, and that has changed the conditions around the area. Obviously residents that back onto Nudurr Drive and a potential corridor are concerned and want certainty about the future of the road, and that is why the feasibility study is going to be important to give them certainty.[[224]](#footnote-224)

* 1. He told the Committee:

there has been an idea in the past about an extension. At the moment there is a roundabout at Nudurr Drive and effectively one exit just stops. Basically this is an opportunity to look at what the options are, what the needs of the northern road network are into the future, with the growth of Gungahlin and given the changes that have occurred around future blocks which are no longer going to be developed as a result of environmental offsets.[[225]](#footnote-225)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[226]](#footnote-226)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Capital | 100 | 300 | 0 | 0 | 400 |

* 1. When asked how the Directorate would spend $100,000 on the two projects—Tharwa Drive and Nudurr Drive—before the close of the current financial year, the Executive Branch Manager, Infrastructure Delivery, told the Committee:

I do not know the exact date of the appropriation, but we would expect to be able to go to tender, close those tenders and undertake a number of activities for both projects, predominantly traffic modelling and road design model reviews, to allow us to spend the majority of our money before the end of the financial year as we had planned to.[[227]](#footnote-227)

### ‘Improving and expanding online services’ (TCCS)

#### Program

* 1. As noted above, in connection with CSD, the Budget Review stated regarding the appropriation item ‘Improving and expanding online services’:

The Government will provide a new cloud-based digital platform to deliver more efficient customer services. The Government is committed to upgrading ICT systems that support improved services for residents of the ACT and the seamless access to services.[[228]](#footnote-228)

* 1. In hearings, when asked on what the $2.9 million allocated to TCCS would be spent, the Director-General, TCCS, told the Committee that this was ‘an extension’ of ‘a continuous business improvement that TCCS has been undertaking over several years’.[[229]](#footnote-229)
  2. She told the Committee:

We are looking to move 25 existing Access databases that we have over the total time for this program into a cloud-based customer-centric platform, using the single digital account that the chief digital officer would have talked to you about, and ensuring that we have that compatibility with Access Canberra as they move to cloud-based products.[[230]](#footnote-230)

* 1. She told the Committee:

With the specific ones in the next tranche; we have already had a stage of upgrades to our systems related to domestic animals. We are expecting that this year we will be able to finalise the second stage of improvements to the database related to domestic animals. That will be particularly beneficial for our field staff, who will have access on the field, with portable devices, to more up-to-date information to be able to do checking on the site. [[231]](#footnote-231)

* 1. She told the Committee:

The ones for this financial year in particular are the domestic animal stage, and Yarralumla Nursery and its system for managing its inventory, orders et cetera, and our trees area and maintenance area. We have a large database for the 700,000 trees, the various inspections that are done and the care and maintenance that is done for various trees. There are also customer inquiries around various trees and the links to the tree protection legislation. [[232]](#footnote-232)

#### Finances

* 1. As noted above, for this appropriation item, the Budget Review presented the following figures: [[233]](#footnote-233)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Capital – Transport Canberra and City Services Directorate | 2,970 | 2,672 | 153 | 136 | 5,931 |
| Capital – Community Services Directorate | 649 | 1,506 | 0 | 0 | 2,155 |
| **Total Capital** | **3,619** | **4,178** | **153** | **136** | 8,086 |
| Depreciation – Transport Canberra and City Services Directorate | 324 | 943 | 1,186 | 1,186 | 3,639 |
| Depreciation – Community Services Directorate | 0 | 72 | 431 | 431 | 934 |
| Associated Expense – Transport Canberra and City Services Directorate | 0 | 1,220 | 1,200 | 1,200 | 3,620 |
| Associated Expense – Community Services Directorate | 50 | 171 | 664 | 396 | 1,281 |
| Offset – Associated Expenses – Transport Canberra and City Services Directorate | 0 | 0 | -300 | -300 | -600 |
| **Net Expenses** | **374** | **2,406** | **3,181** | **2,913** | 8,874 |

### Committee comment

#### General

* 1. The Committee considered it notable that appropriations which were considered for TCCS were had not commenced before the Appropriation Bill 2019-2020 (No 2) would be passed.

#### ‘Light Rail additional services and safety infrastructure enhancements’

* 1. In connection with the initiative ‘Light Rail additional services and safety infrastructure enhancements’, the Committee notes evidence that charges on the ACT Government by Canberra Metro were based on an original frequency of service and that the increased frequency of service being introduced would lead to higher costs to Government.

|  |
| --- |
| Recommendation 1  The Committee recommends that the ACT Government should report to the Legislative Assembly on the increase in charges to the Government as a result of more frequent light rail services by the last day of sittings in August 2020. |

#### ‘Modernising ACT’s public transport network ticketing systems’

* 1. The Committee notes that a number of ACT public transport ticketing systems have been considered over the past two decades, including in 2009, 2015, and 2017.[[234]](#footnote-234)
  2. The Committee notes with concern that in this instance the Government wishes to appropriate for particular hardware before it finalises a single-select tender process which, the Minister informed the Committee, he was not in a position to discuss.

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| --- |
| Recommendation 2  Some members of the Committee recommend that the Minister for Transport and City Services provide a full description of the single-select tender for the network ticketing system to the Assembly before it passes the Appropriation Bill 2019-2020 (No 2).[[235]](#footnote-235) |

* 1. Regarding the initiative ‘Modernising ACT’s public transport network ticketing systems’ the Committee considers that the introduction of a new ticketing system represents an opportunity for innovative approaches to ticketing, including family or household discounts.

|  |
| --- |
| Recommendation 3  The Committee recommends that the ACT Government explore introducing family and/or household discounts as part of a new public transport ticketing system. |

#### ‘Improving and expanding online services’

* 1. Regarding the appropriation item ‘Improving and expanding online services’ the Committee considers that *Fix My Street* should be given priority in any improvement of online services.

|  |
| --- |
| Recommendation 4  The Committee recommends that *Fix My Street* should be given priority in work done under the appropriation item ‘Improving and expanding online services’. |

#### ‘Kerbside Bulky Waste Collection’

* 1. Regarding the appropriation item ‘Kerbside Bulky Waste Collection’, the Committee considers that access and equity are important guiding principles for any such initiative. It considers that guidance should be provided to end-users and that there should be some flexibility in the program to avoid unnecessary exclusion of users from the program.

|  |
| --- |
| Recommendation 5  The Committee recommends that the ACT Government ensure that the bulky waste booking system provides pictorial examples of what constitutes 2 square metres of bulky waste. |

* 1. The Committee anticipates that where new suburbs are added to the Kerbside Bulky Waste Collection program, there will necessarily be a period during which end users learn what constitutes 2 square metres of bulky waste.

|  |
| --- |
| Recommendation 6  The Committee recommends that the ACT Government allow for some flexibility in the rollout of the Kerbside Bulky Waste Collection program in new suburbs if residents exceed the 2 square metres of waste allowable under the program. |

## Minister Yvette Berry MLA

* 1. This chapter considers appropriation items under the responsibility of Minister Yvette Berry MLA, Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women, who appeared before the Committee with her officers on 4 March 2020.[[236]](#footnote-236)

### ‘Continuing to work towards safe, supportive and inclusive schools’

#### Program

* 1. Regarding the appropriation item ‘Continuing to work towards safe, supportive and inclusive schools’, the Budget Review stated:

The Government will continue to progress implementation of the Future of Education Strategy by investing in initiatives that support safer and more supportive school environments for all students, teachers and staff. This initiative will:

* support an uplift in the Government’s ongoing commitment to implement the Positive Behaviours for Learning framework across all ACT public schools;
* provide more teachers and support staff, including youth workers and social workers, to accommodate student growth in Muliyan (the Off-Campus Learning program);
* provide additional outreach support for students in the Distance Education Program; and
* fund a dedicated officer to collaborate with the Office of the eSafety Commissioner and lead engagement with schools, parents and carers in relation to e-safety.[[237]](#footnote-237)
  1. When asked, Minister Berry told the Committee that the purpose of the program was to ‘provide extra support for teachers in the classroom’ by providing 66 ‘support assistants’, which equated to an outlay of approximately $25,000 per school.[[238]](#footnote-238)
  2. When asked how schools would use that money, the Minister told the Committee:

The money is now being redirected towards some of the future of education strategy and speeding up the implementation of the positive behaviours for learning framework across our schools, so that we can make sure that every school is implementing that framework and embedding that culture change around violence, safety and risk in core relationships across all of our schools.[[239]](#footnote-239)

* 1. She told the Committee:

Last year we had 51 schools that had started or were in the middle of the positive behaviours for learning framework, and now there are 59 schools. We have 88 schools in the ACT that we want to make sure embed that framework. That is one of the things that that funding of about $25,000 in each school is going towards—embedding that positive behaviour.[[240]](#footnote-240)

* 1. In response to further questions on how the funding would be used, the Acting Deputy Director-General, Education Directorate, told the Committee that the initiative bout is also linked to enterprise agreement negotiations that occurred last year where the government committed more than $200 million of extra funding to a range of initiatives, including salary and other supports for teachers. [[241]](#footnote-241)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[242]](#footnote-242)

| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| --- | --- | --- | --- | --- | --- |
| Expenses | 1,174 | 1,848 | 1,317 | 1,352 | 5,691 |
| Offset – Expenses | -1,174 | -421 | -431 | -442 | -2,468 |
| Net Expenses | **0** | **1,427** | **886** | **910** | 3,223 |

* 1. The Budget Review stated that the ‘cost of this initiative [would] be partially offset from within existing resources’.[[243]](#footnote-243)
  2. In hearings, the Committee asked about planning and the timeline for this initiative, and sought to establish why the initiative was being funded from a supplementary appropriation rather than the main budget. The Minister told the Committee that this ‘work [had] already been happening’, that it was ‘not a specific program’, but was ‘just funded to support our schools’, and was ‘part of the schools funding in the Education Directorate’.[[244]](#footnote-244)
  3. The Committee noted that a liaison officer had already been appointed at SOG C to support the initiative and that this had been funded out of the main budget allocation for Education. It asked why the initiative had been changed from ‘business as usual’ to a program for which the Assembly was being asked to make an appropriation for a ‘specific purpose’. The Committee’s concern was over two possibilities: either that money had been spent in advance of an appropriation, contrary to s 6 of the *Financial Management Act*, or that this was a ‘business as usual’ activity that could have been funded out of the main budgetary allocation until the next ACT Budget.[[245]](#footnote-245)
  4. The Executive Group Manager, Service Design and Delivery, told the Committee:

Part of the reason for us to do that is that school years run counter to financial years. We wanted to get someone on board ready for this school year to provide those supports because we thought, coming out of what we heard last year, that this was an essential position, an essential activity we wanted to do. We brought them on, recognising that this sits from 2020-21 onwards and we can manage that as an offset internally within our current allocations.[[246]](#footnote-246)

* 1. The Committee asked whether the Directorate had the legal capacity to employ the liaison officer if the appropriation had not yet been made. The Minister told the Committee:

In the budget we would appropriate for the bigger budget items and go ahead and respond and get on with the work of the Education Directorate. Sometimes things will happen and there will be recommendations that the directorate will need to respond to or things will arise and responding to that will put pressure on the appropriation that has already occurred in the budget.[[247]](#footnote-247)

* 1. She told the Committee:

Employing the person puts pressure on what is already there and then the appropriation is there to take the pressure off the workload that has occurred in response to things like our response to the advisory committee and the standing committee. That is how this works. We have responded within what we have, but it has put pressure on our existing budget in education. The appropriation is to fix that up so that it balances it out and takes the pressure away. [[248]](#footnote-248)

### ‘Supporting parents and schools through new engagement grants’

#### Program

* 1. Regarding the appropriation item ‘Supporting parents and schools through new engagement grants’, the Budget Review stated:

The Government will provide grants to ACT public school parent and community groups to foster increased parental engagement. This initiative will build the capability of parent groups and encourage active school communities. This initiative builds on the parental engagement officer funded in the 2018-19 Budget, fully delivering on the Government’s election commitment.[[249]](#footnote-249)

* 1. When asked what the parent engagement officer funded under this initiative would do, the Executive Group Manager told the Committee:

The parent engagement officer is currently employed within my team. They are reaching out and working with the P&C. They are working with specific schools, as well, around different engagement programs.[[250]](#footnote-250)

* 1. When asked what ‘engagement’ meant in this context, the Executive Group Manager told the Committee:

That looks really different in different schools and different constructs and the way different P&Cs want to operate. In some of our schools it can be around operating out of school hours care clubs; sometimes it can look like operating canteens; sometimes it can be connecting into our reading programs in schools or school banking, where our P&Cs are heavily involved. So there are a range of different areas where different P&Cs can be involved at different times, and we provide the help and support around what that looks like and the creation of new programs when parent groups come up with ideas and suggestions of what that would look like in the school. Then there is the provision and helping the school with how we can set that up effectively.[[251]](#footnote-251)

* 1. When asked what the grants were for, the Minister told the Committee:

They are for all of those things that [the Executive Group Manager] has identified, where P&Cs might want to get some improvement around their governance.[[252]](#footnote-252)

* 1. When asked whether there was a ceiling on grants in the program, the Minister told the Committee that there were no set amounts for the grants[[253]](#footnote-253)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[254]](#footnote-254)

| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| --- | --- | --- | --- | --- | --- |
| Expenses | 400 | 400 | 0 | 0 | 800 |

* 1. In hearings, the Committee asked why supplementary appropriation had been sought for this initiative, and what Education would have done if there had not been a supplementary appropriation bill. The Minister told the Committee:

We already work closely with the P&Cs across a range of areas. Recently, over the last 12 months, because of bullying and violence issues being raised in our school communities, our P&Cs wanted to make sure that parents were supported around those concerns and that parents and communities could understand what is happening within schools, particularly the positive behaviours for learnings framework. There were a number of activities held in partnership with the P&C council and the Education Directorate to put on seminars across the city that parents could come along to, to engage in that way. It was not done as a standalone thing; it was something that we would do generally with our P&Cs as issues arise.[[255]](#footnote-255)

* 1. It seems to the Committee that the purpose of the grants is unclear following the Minister’s comments:

With this grants program, as we have been talking with our P&C council, with the peak body, about what school P&Cs need and working through what that might look like, it has been decided that this is a good time to start those grants now that we understand the kinds of concerns that our P&Cs are identifying, which were not identified immediately but have come to the forefront, particularly around governance and making sure that they all have that right.[[256]](#footnote-256)

* 1. She told the Committee:

Because of the change in the membership of P&Cs and the different levels of experience and expertise, it is about making sure that people are prepared within our P&Cs so that they can be viable and sustainable and support our school communities effectively. Decisions around whether budget appropriation is made in the budget fully or whether it is appropriated at another time, like this, are decisions that governments make over the term. That is the decision that we made in respect of this appropriation.[[257]](#footnote-257)

### ‘Expenses associated with infrastructure and capital initiatives’

#### Program

* 1. When asked about the appropriation item ‘Expenses associated with infrastructure and capital initiatives’, associated with the Molonglo School 7-10 campus, the Acting Deputy Director-General told the Committee:

The very quick history around this school is that, in the 2018 budget, the government appropriated money for a P-6 school, catering for 644 students, at Denman Prospect. When we went to the market for that school, being mindful of the growth in the Molonglo area, we also sought prices around what the 7-10 expansion would look like.[[258]](#footnote-258)

* 1. He told the Committee:

We were very happy, through that process, to get a very competitive set of bids which allowed us to use the original budget allocation to bring forward some additional works, like a full double gymnasium and some enhancements to the school administration area. We were also able to get a very attractive price to complete the year 7-10 schooling, which is what the budget appropriation provides for. As a result of the budget appropriation, we will be able to negotiate with the contractor on the delivery of the whole P-10 project as an integrated project, with the economies of scale that come from that and the attractive price that we receive through the procurement process … [[259]](#footnote-259)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[260]](#footnote-260)

|  | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| --- | --- | --- | --- | --- | --- |
| Meeting future ACT government accommodation needs | 924 | 0 | 0 | 0 | 924 |

## Minister Shane Rattenbury MLA

### Introduction

* 1. This chapter considers appropriation items under the responsibility of Minister Shane Rattenbury MLA, Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health, who appeared before the Committee with his officers on 4 March 2020.[[261]](#footnote-261)

### ‘Charter of Rights and additional support for victims of crime’

#### Program

* 1. Regarding the appropriation item ‘Charter of Rights and additional support for victims of crime’, the Budget Review stated:

The Government will provide funding to implement a Charter of Rights for Victims of Crime (the Charter) to give victims rights and assist victims to access their rights. The Charter will provide victims with information and opportunities to be heard, and access to a complaints pathway where rights are not upheld.[[262]](#footnote-262)

* 1. It also stated:

The Government will also continue to support victims of family violence and other violent crimes to access therapeutic support aimed at minimising the traumatic impacts of crime, improving personal safety and assisting victims and their families to actively pursue recovery.[[263]](#footnote-263)

* 1. In hearings, the Committee asked why this appropriation was being sought before legislation to create a victims’ charter of rights had been introduced in the Assembly. The Minister told the Committee:

These resources are about building capability in our agencies … in terms of ensuring that victims are better supported. That is work we could probably do without the legislation, but the legislation will provide a sound legislative basis to ensure that these things happen, as opposed to trying to build a service model [after the fact].[[264]](#footnote-264)

* 1. When asked why this initiative was being undertaken before a bill to create a Charter had been released for comment or consideration, and when a bill for the Charter would be introduced in the Assembly, the Minister told the Committee that he would do this ‘shortly’.[[265]](#footnote-265)
  2. When the Committee noted that the proposed Charter had been under discussion for some years, the Minister told the Committee that the Government was ‘actually ahead of the curve’ in preparing for the advent of the Charter.[[266]](#footnote-266)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[267]](#footnote-267)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses – Justice and Community Safety Directorate | 215 | 449 | 486 | 495 | **1,645** |
| Expenses – ACT Policing | 0 | 135 | 149 | 152 | **436** |
| **Total Expenses** | **215** | **584** | **635** | **647** | **2,081** |

* 1. In hearings, the Committee asked on what the $215,000 sought for the initiative would be spent and how it was proposed to expend this in the last quarter of the financial year. The Director-General, Justice and Community Safety Directorate, (JACS) told the Committee that $200,000 would go to support for victims, under programs managed by the Victims of Crime Commissioner.[[268]](#footnote-268)
  2. When asked about these programs, the Director-General told the Committee they were ‘support arrangements that the Victims of Crime Commissioner can provide to individual victims’, that some of the money would go to psychological support and other arrangements, and that this was ‘an enhancement of services that are currently being delivered’, that is, it was additional funding for the existing program.[[269]](#footnote-269)
  3. The Director-General told the Committee that the funding was being sought due to an increase in demand for victim support services.[[270]](#footnote-270)
  4. The Minister told the Committee that this appropriation was ‘in some ways unrelated to the victims charter, although that is where it is badged in the budget papers’. He told the Committee:

the Victims of Crime Commissioner has been doing a very good job of engaging the community, and under the new scheme that went through two years ago—you would remember … we have seen more people applying because they find the new system easier to deal with. It is an administrative model rather than a court-based model and the people have been more willing to come forward. So the Victims of Crime Commissioner has sought additional resources to deal with that increase in demand.[[271]](#footnote-271)

### ‘Improving our justice system’

#### Program

* 1. Regarding the appropriation item ‘Improving our justice system’, the Budget Review stated:

The Government will undertake a review of the impact of the Protection of Rights Services Amendment Act 2016 and the Human Rights Commission Act 2005 and the Victims of Crime Financial Assistance scheme established under the Victims of Crime (Financial Assistance) Act 2016 to assess their effectiveness and identify opportunities for reform. The review will consider how the legislative amendments promote the objectives of the Human Rights Commission, Victims of Crime Commissioner and Victim Support ACT, Public Advocate and Public Trustee and Guardian.[[272]](#footnote-272)

* 1. In hearings, the Committee asked the purpose of the appropriation. The Minister told the Committee:

Regarding the Human Rights Act … there was a reform in the 2016 act. There was a legislative change in 2016 and it built in a requirement to review it three years after the implementation. This money is to get an external consultant to undertake the protection of rights services review and an external consultant to undertake the review of the victims of crime financial assistance scheme. There are two pieces of work there, and they are both statutorily required reviews.[[273]](#footnote-273)

* 1. When asked why this was not business as usual funding out of the JACS budget, the Minister told the Committee that it was because this funding was to be used ‘to bring in external consultants so that there is an independence around the review process’.[[274]](#footnote-274)
  2. When asked why this could not be done under the JACS budget, the Minister advised that there were no funds available.[[275]](#footnote-275)
  3. The Committee noted that the review was a requirement of legislation passed in the Assembly in 2016, and asked why it had not been provided for in an ACT budget in any of the financial years since then. The Minister told the Committee that appropriation was made in the Appropriation Bill 2019-2020 (No 2) because that was ‘when the cabinet agreed to fund it’. He told the Committee that the work was being done.[[276]](#footnote-276)
  4. When asked why an appropriation was sought when the work was being done, the Minister told the Committee it was ‘more correct’ to say that the procurement was ‘underway’:

The directorate is gearing up for the review process. The commission is gearing up for the review process. Everyone is preparing for it. This appropriation will enable the engagement of external consultants to ensure that there is a degree of independence about the review.[[277]](#footnote-277)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[278]](#footnote-278)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses | 270 | 0 | 0 | 0 | **270** |

* 1. In hearings, the Committee asked how the Directorate would expend the $270,000 allocated to this initiative in the remainder of the current financial year when the review was expected to take 12 months to complete. The Director-General, JACS, told the Committee:

Twelve months is the maximum period in which the report needs to be done. We will be dealing with the consultants to determine how the payment schedule might work and the scheduling of that time frame. We would seek to have it done as quickly as we could.[[279]](#footnote-279)

* 1. When asked whether it was likely that some of the appropriation would be rolled-over into the next financial year, the Director-General said that he would hope not, but that the Directorate was ‘not far enough into the exercise for [him] to be able to say that with certainty’.[[280]](#footnote-280)
  2. When asked whether the Directorate knew in which financial year the money would be expended, the Director-General told the Committee:

My expectation would be this financial year, but we have to get the consultants on board and we need to determine what the payment schedule for those individuals will be. I am not going to provide them with all of the money up-front.[[281]](#footnote-281)

* 1. When asked whether the Directorate proposed to pay the consultants in advance to expend the money in the current financial year, the Director-General told the Committee:

No. I am expecting to determine what the payment schedule will be when we have the consultants arranged. That is a contractual negotiation we will have to undertake.[[282]](#footnote-282)

### ‘Increasing opportunities for Aboriginal and Torres Strait Islander people involved with the justice system’

#### Program

* 1. Regarding the appropriation item ‘Increasing opportunities for Aboriginal and Torres Strait Islander people involved with the justice system’, the Budget Review stated:

The Government will provide resources aimed at reducing the disproportionate representation of Aboriginal and Torres Strait Islander community members throughout the ACT Justice System. This initiative will create positive pathways from prison that break the cycle of recidivism by increasing employment and cultural engagement opportunities.[[283]](#footnote-283)

* 1. When asked about the purpose of the appropriation, the Minister told the Committee that there is $310,000, available to both the Magistrates Court and the Galambany Court as an alternative to a custodial sentence for Aboriginal men. The Minister told the Committee that the primary objective of the program “…is to reduce reoffending within the Aboriginal and Torres Strait Islander cohort by taking participants through healing journeys…”.[[284]](#footnote-284)
  2. He also outlined to the Committee the $257,000 for yarning circles: a culturally informed, 26-week programs for men, women and youth and the $640,000 employment and business development initiative.[[285]](#footnote-285)
  3. When asked about the evaluation of the program, the Minister told the Committee that $50,000 had been allocated for this purpose. Who would conduct the evaluation had not been decided, but most of the evaluation work would take place ‘at the back end’ of the program ‘when there [was] data to look at’.[[286]](#footnote-286)
  4. The Committee noted that recidivism among offenders in the Aboriginal and Torres Strait Islander community was assessed at approximately 90 per cent, and asked as to the program target for a reduction in this figure. The Minister told the Committee that they have a target to reduce recidivism overall by 25 per cent by 2025.[[287]](#footnote-287)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[288]](#footnote-288)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses | 74 | 584 | 645 | 0 | **1,303** |

* 1. The Committee asked how the $74,000 to be appropriated for this program in the current financial year would be expended. The Executive Branch Manager, Legislation, Policy and Programs told the Committee:

these are new initiatives and we recognise that we have to co-design them with the Aboriginal and Torres Strait Islander community. At this stage the $74,000 this financial year is for 0.44 of an FTE, which will turn out to be two people. The program managers will get them in to help co-design what these will actually be.[[289]](#footnote-289)

* 1. When asked whether recruitment under the initiative had commenced, the Executive Branch Manager told the Committee that a recruitment process had commenced and the Directorate expected to hire in April 2020.[[290]](#footnote-290)

### ‘Introducing a Parole Time Credit Scheme’

#### Program

* 1. Regarding the appropriation item ‘Introducing a Parole Time Credit Scheme’, the Budget Review stated:

The Government is introducing a parole time credit scheme in the ACT to provide parolees with credit towards their sentence for time spent in the community in compliance with parole obligations. This initiative builds on the Government’s election commitment to reduce recidivism by reinforcing a rehabilitative approach to sentence administration.[[291]](#footnote-291)

* 1. When asked what the scheme sought to achieve, the Minister told the Committee:

In the ACT, because we did not have this, if you got nine months of parole and you committed an offence at the eight-month mark, you had to go back into custody and serve the full nine months. Parole time credit seeks to give you credit for the eight months of good behaviour, if you want to put it like that, and you would only go back to jail and serve one month.[[292]](#footnote-292)

* 1. This initiative, he told the Committee, was:

about creating recognition of when people do well. We certainly had strong anecdotal feedback that people were not seeking parole because they feared getting to the eight-month mark and having to come back and do another nine months. That is the reason we brought it in. It is our view that it is better for people to leave custody on parole because they then do so under supervision. We are able to work with them, assess how they are going and have some degree of ongoing supervision, which is better from both a rehabilitation point of view and a community safety point of view.[[293]](#footnote-293)

* 1. When asked how this initiative would reduce recidivism, the Minister told the Committee:

it is better to have people on parole and under supervision, where they can have a more structured and hopefully supported period through their parole, which leads to them being less involved in crime.[[294]](#footnote-294)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[295]](#footnote-295)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses | 128 | 155 | 0 | 0 | **283** |
| Depreciation | 0 | 38 | 38 | 38 | **114** |
| **Total Expenses** | **128** | **193** | **38** | **38** | **397** |
| Associated Capital | 300 | 0 | 0 | 0 | **300** |

* 1. In hearings, the Minister told the Committee:

In terms of where the money is going, predominantly the capital funding is to reprogram the courts’ calculating system—essentially, the back end. There is some complexity in making sure that you get people’s sentences exactly right, in counting the number of days. The capital funding is for IT work and the expense funding is for a senior officer grade C to support the Sentence Administration Board with the implementation of changes to the legislation, including governance policy issues and those sorts of matters. [[296]](#footnote-296)

### ‘Investigating Mobile Device Detection Cameras in the ACT’

#### Program

* 1. Regarding the appropriation item ‘Investigating Mobile Device Detection Cameras in the ACT’, the Budget Review stated:

The Government will develop a framework for the possible future introduction of mobile device detection camera technology in the ACT. The Government will consider this issue further once the framework is complete.[[297]](#footnote-297)

* 1. When asked why additional staff were required for this initiative, the Minister told the Committee:

Because it is an additional piece of work that was not on the work program in the longer sense. But, given that New South Wales has now spent considerable effort to work it out, we think we can bring this in quite quickly by simply using the New South Wales model. We do not need to reinvent the technology. We think the work has been done.[[298]](#footnote-298)

* 1. He told the Committee:

We do have to make a legislative change to enable this to operate in the ACT and work through privacy issues and the like. I think the community in New South Wales has been very supportive of this technology. Recent government polls suggest about 80 per cent support, but there are questions around it. The device takes a photo of the cockpit of the vehicle, so there are issues around privacy and those matters that we need to work through.[[299]](#footnote-299)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[300]](#footnote-300)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses – Justice and Community Safety Directorate | 89 | 205 | 0 | 0 | **294** |
| Expenses – Chief Minister, Treasury and Economic Development Directorate | 0 | 71 | 0 | 0 | **71** |
| **Total Expenses** | **89** | **276** | **0** | **0** | **365** |

* 1. When asked why this was considered an urgent measure, requiring supplementary appropriation, the Minister told the Committee that ACT Policing were confounded by this aspect of driver behaviour, and that the Government had decided to take advantage of work done by New South Wales.[[301]](#footnote-301)
  2. The Minister told the Committee that there was still procurement and legislative work to be done and the scheme would not be rolled out until the first quarter of 2021 and that this future work warranted the appropriation of $365,000. Much of the money would go toward ‘legal staff, Government Solicitor staff and staff in Access Canberra’ who would ‘put all the systems in place and … undertake the procurement’.[[302]](#footnote-302)

### ‘Supporting young people through the Public Advocate and Children and Young People Commissioner’

#### Program

* 1. Regarding the appropriation item ‘Supporting young people through the Public Advocate and Children and Young People Commissioner’, the Budget Review stated:

The Government will fund two full-time staff for the Public Advocate and Children and Young People Commissioner (PACYPC) to assist the office of the PACYPC to meet its statutory obligations. The PACYPC is responsible for promoting and protecting the rights and interests of people who may be vulnerable to abuse and exploitation, notably children and young people. These additional resources will increase the capacity of the PACYPC to better protect the most vulnerable and high-risk children, young people and adults in the ACT.[[303]](#footnote-303)

* 1. The Committee noted the 2016 Glanfield inquiry into ‘system level responses to family violence in the ACT’ had expressed concern over levels of resourcing for the Public Advocate, and asked whether the initiative would address the problem.[[304]](#footnote-304) The Minister told the Committee that the funding, over four years, was to provide ‘two ASO6 positions to assist the office to meet its statutory obligations’, and that the Government believed that this would make ‘a material difference to the office’.[[305]](#footnote-305)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[306]](#footnote-306)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses | 128 | 260 | 264 | 268 | **920** |

### ‘Combating Climate Change – Community Liaison Officer’

#### Program

* 1. Regarding the appropriation item ‘Combating Climate Change – Community Liaison Officer’, the Budget Review stated:

The Government will recruit a dedicated climate change community liaison officer in the Environment, Planning and Sustainable Development Directorate to work with the community on identifying and implementing effective actions to reduce emissions and increase resilience. This initiative will help to deliver Action 1.2 of the ACT Climate Change Strategy 2019-25.[[307]](#footnote-307)

* 1. When asked about the role of the Community Liaison Officer, the Minister told the Committee:

Going to the purpose of the role, in seeking to attack all emissions reduction and respond to climate change in the ACT, we know that the community is really engaged by this. We know that there are lots of organisations that want to be involved and that people want to feel empowered to be part of the solution. We are also conscious that, as a community member or a small community group, it can sometimes be hard to know where to start. This role is almost a concierge role into government to assist organisations to get off the ground, to get projects going, and to have a clear point of liaison between the directorate and the government, particularly in the context where our next climate strategy recognises that the community needs to be involved in making a change. It is our endeavour to build that bridge.[[308]](#footnote-308)

* 1. The Deputy Director-General, EPSDD, told the Committee:

within that role there will be an additional person at the senior officer grade B level to lead; we have also reallocated a further three staff to work in the community leadership team. As the minister said, we constantly get approached by various members of the community— business community, stakeholders—wanting to know how to do more. We feel that helping them help themselves is what is required in that. We have tried a number of programs, and we have those programs in place, but this is to reflect the new actions in the new climate change strategy and lead the community along the transition to 2045.[[309]](#footnote-309)

* 1. He told the Committee that three staff from the Directorate had been reassigned to work under the new position.[[310]](#footnote-310)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[311]](#footnote-311)

|  | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| --- | --- | --- | --- | --- | --- |
| Expenses | 111 | 151 | 155 | 157 | 574 |

### Committee comment

* 1. Regarding the appropriation item ‘Improving our justice system’, it was not clear why this item was regarded as urgent when the legislative provision which required the work had been passed by the Assembly in 2016. It is difficult to make a case that a supplementary appropriation should be made for this item rather than an appropriation in a yearly budget.

## Minister Mick Gentleman MLA

### Introduction

* 1. This chapter considers appropriation items under the responsibility of Minister Mick Gentleman MLA, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services, who appeared before the Committee with his officers on 4 March 2020.[[312]](#footnote-312)

### ‘Extra rangers to support Urban Wildlife’

#### Program

* 1. Regarding the appropriation item ‘Extra rangers to support Urban Wildlife’, the Budget Review stated:

The Government will appoint two additional rangers on an ongoing basis to respond to increased wildlife in Canberra’s urban areas.[[313]](#footnote-313)

* 1. When asked, the Executive Branch Manager, ACT Parks and Conservation Service, EPSDD, told the Committee that the urban wildlife program was an ongoing program, targeted at addressing injured and dead wildlife on urban roads. The Committee was told this was a significant challenge for the agency with calls-outs increasing from 2,500 to around 4,500 a year leading it to seek extra funding. He told the Committee that without an increase in resources for the program other programs would be affected.[[314]](#footnote-314)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[315]](#footnote-315)

|  | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| --- | --- | --- | --- | --- | --- |
| Expenses | 98 | 304 | 313 | 318 | 1,033 |

* 1. When asked on what the funds would be spent, the Executive Branch Manager told the Committee that it would be used to fill two Ranger 1 positions.[[316]](#footnote-316)

### ‘Improving water quality in Lake Tuggeranong’

#### Program

* 1. Regarding the appropriation item ‘Improving water quality in Lake Tuggeranong’, the Budget Review stated:

The Government will deliver further water quality improvements in the Lake Tuggeranong catchment, including a gross pollutant trap and the construction of a swale adjacent to a stormwater drain.[[317]](#footnote-317)

* 1. When asked the purpose of the appropriation, the Minister told the Committee it would deliver ‘a larger, new gross pollutant trap on the northern end of Lake Tuggeranong’.[[318]](#footnote-318)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[319]](#footnote-319)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Capital | 750 | 250 | 0 | 0 | 1,000 |
| Depreciation | 0 | 0 | 24 | 24 | 48 |
| Associated Expense | 100 | 0 | 0 | 0 | 100 |
| Total Expenses | 100 | 0 | 24 | 24 | 148 |

* 1. When asked how the Directorate would tender, contract and build a gross pollutant trap for $750,000 in the remaining quarter of the current financial year, the Executive Group Manager Environment, EPSDD, told the Committee that as there had already been a number of projects delivered under the Healthy Waterways project they had been able to extend existing arrangements so that the work would be done under the existing contract.[[320]](#footnote-320)

### ‘Protecting endangered species’

#### Program

* 1. Regarding the appropriation item ‘Protecting endangered species’, the Budget Review stated:

The Government will undertake works to enhance the resilience of the endangered Grassland Earless Dragon and the ecosystem on which it depends. The Grassland Earless Dragon’s population has declined to critically low levels and may be lost without action.[[321]](#footnote-321)

* 1. When asked to expand on the initiative, the Minister told the Committee it was an important step to protecting the species. The Executive Group Manager told the Committee that the aim was to manage habitat by reducing weeds, such as African Love Grass, managing ‘grass level’, and creating a mosaic landscape through which these species could move.[[322]](#footnote-322)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[323]](#footnote-323)

|  | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| --- | --- | --- | --- | --- | --- |
| Expenses | 20 | 545 | 641 | 543 | 1,749 |
| Depreciation | 0 | 0 | 0 | 8 | 8 |
| Total Expenses | 20 | 545 | 641 | 551 | 1,757 |
| Associated Capital | 21 | 189 | 205 | 0 | 415 |

* 1. When asked on what the more than $540,000 allocated in future years would be expended, Executive Group Manager told the Committee that this would be used for equipment and chemicals for weed management programs, and three staff, with ‘a couple of variations’, over the time.[[324]](#footnote-324)

### ‘Supporting volunteers to undertake environmental conservation’

#### Program

* 1. Regarding the appropriation item ‘Supporting volunteers to undertake environmental conservation’, the Budget Review stated:

The Government will deliver nature-based volunteering opportunities for over 4,000 people per year to continue delivering environmental conservation outcomes. This initiative includes the continuation of the ACT Waterwatch program and the creation of a new position to support the RangerAssist Program that allows volunteers to work directly with the Parks and Conservation Service on a range of activities.[[325]](#footnote-325)

* 1. When asked the purpose of this appropriation, the Executive Group Manager told the Committee the proposition was to deliver the Waterwatch program. and additional funding for a ParkCare assistant ranger. That role is to coordinate volunteers to support the delivery of programs in our parks and conservation areas.[[326]](#footnote-326)
  2. When asked on what the appropriated funds would be spent, the Executive Group Manager told the Committee that it would be spent on a combination of staffing and equipment, including health and safety equipment such as ‘fluoro vests and appropriate gloves’ and, for Waterwatch, ‘tubes to collect the water and nets to collect samples’.[[327]](#footnote-327)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[328]](#footnote-328)

|  | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| --- | --- | --- | --- | --- | --- |
| Expenses | 171 | 724 | 719 | 733 | 2,347 |

* 1. When asked on what the $171,000 to be appropriated in the current financial year would be expended, the Executive Group Manager told the Committee that the funding would allow the continuation of the program, and to help meet ‘growing demand for engagement’. The funds would be used to fund the ‘employment opportunities and the volunteer coordination associated with these programs’.[[329]](#footnote-329)
  2. When asked what additional staffing this program would deliver, the Executive Group Manager told the Committee that it would be ‘0.4 [Full-Time Equivalent] this financial year … and 1½ FTEs going forward’. [[330]](#footnote-330)

### ‘Simplifying the Territory Plan to deliver better outcomes’

#### Program

* 1. Regarding the appropriation item ‘Simplifying the Territory Plan to deliver better outcomes’, the Budget Review stated:

The Government will undertake a review of Canberra’s Territory Plan to make it more outcomes focussed and easier to understand.[[331]](#footnote-331)

* 1. When asked to expand on this appropriation, the Minister told the Committee:

The chief planner has said that he wants to reduce it to a more simplified document that allows all Canberrans to understand how the Territory Plan operates. In regard to the funding, most of it will be for consultants to assist our staff with the renewal of the Territory Plan.[[332]](#footnote-332)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[333]](#footnote-333)

|  | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| --- | --- | --- | --- | --- | --- |
| Expenses | 500 | 400 | 300 | 0 | 1,200 |

* 1. When asked why this was initiative, having been underway for some time, had come to be considered not as business as usual, but as a new initiative which required a supplementary appropriation, the Deputy Director-General told the Committee that a review had revealed ‘system-wide issues’ that were ‘additional to business as usual’.[[334]](#footnote-334)
  2. When asked how the Directorate planned to spend $500,000 in the final quarter of the current financial year, the Deputy Director-General told the Committee that the appropriation was for consultants, and so far they had cash-managed in the ‘hope and anticipation’ that the appropriation would be approved.[[335]](#footnote-335)
  3. When asked whether the Directorate would seek to roll over money from the appropriation to the new financial year, the Deputy Director-General told the Committee that she hoped the Directorate would be able to spend the money in the current financial year.[[336]](#footnote-336)

### ‘Strengthening bushfire preparedness’

#### Program

* 1. Regarding the appropriation item ‘Strengthening bushfire preparedness’, the Budget Review stated:

The Government will further strengthen bushfire preparedness and provide more support to the ACT Rural Fire Service. This includes funding to continue the ACT’s contribution to the National Emergency Alert system, an additional seven Electronic Fire Danger Rating Signs to upgrade the remaining manual signs, and a six-month trial to install fire detecting cameras in key locations around the ACT.[[337]](#footnote-337)

* 1. When asked to expand on the purpose of this program, the Minister told the Committee there was support for the ACT Rural Fire Service, particularly our emergency alert system and the electronic fire danger rating signs. He told the Committee that the appropriation would also support a six-month trial of infrared fire-detecting cameras in fire-spotting towers in the ACT.[[338]](#footnote-338)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[339]](#footnote-339)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses | 396 | 115 | 118 | 121 | **750** |
| Depreciation | 0 | 33 | 33 | 33 | **99** |
| **Total Expenses** | **396** | **148** | **151** | **154** | **849** |
| Associated Capital | 226 | 0 | 0 | 0 | **226** |

* 1. When asked to provide further detail on what $396,000 would be spent in the current financial year, the Director-General, JACS, told the Committee that the capital of $226,000 in 2019-20 consisted of $126,000 for seven electronic fire danger signs and their installation, and $100,000 for the fire detection cameras installation and associated ICT.[[340]](#footnote-340)
  2. When asked how the Directorate would spend the $100,000 intended for fire detection cameras in the current financial year if negotiations for a provider had not concluded and the trial was for six months, the Chief Officer Rural Fire Service told the Committee that with negotiations underway the appropriation would cover the hardware connections for a trial in the bushfire season.[[341]](#footnote-341)

### ‘Enhanced forensic medical services’

#### Program

* 1. Regarding the appropriation item ‘Enhanced forensic medical services’, the Budget Review stated:

The Government will increase funding for the provision of on-call forensic medical services available to ACT Policing. Additional funding will support services such as the medical assessment of people in custody, coronial and criminal investigations including documenting evidence of injuries of assaults for victims of violent crimes, attending death scenes to assist in the coronial process, and providing expert evidence for court.[[342]](#footnote-342)

* 1. When asked to expand on the appropriation item, the Acting Chief Police Officer, ACT Policing, told the Committee that the appropriation covered the contractual arrangement with ACT Health for forensic medical services and will cover an increased demand for that service.[[343]](#footnote-343)He told the Committee that they have been managing increased demand within the appropriation but that it is putting more pressure on the base appropriation [[344]](#footnote-344)
  2. When asked whether these additional cost pressures came as a result of increased call-outs or increased unit cost, the Acting Chief Police Officer told the Committee it was both.[[345]](#footnote-345)
  3. The Committee noted that this was a one-off appropriation, but increased demand appeared to be ongoing, and asked whether further budget bids for this item were likely. The Acting Chief Police Officer advised that this was possible.[[346]](#footnote-346)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[347]](#footnote-347)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses | 715 | 0 | 0 | 0 | **715** |

## Minister Rachel Stephen-Smith MLA

### Introduction

* 1. This chapter considers appropriation items under the responsibility of Minister Rachel Stephen-Smith MLA, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Health and Minister for Urban Renewal, who appeared before the Committee with her officers on 4 March 2020.[[348]](#footnote-348)

### ‘Supporting growing demand for health services’

#### Program

* 1. Regarding the appropriation item ‘Supporting growing demand for health services’, the Budget Review stated:

The Government will provide additional resources to meet expanded activity in the health system for 2019-20, including growth in emergency department presentations and emergency surgeries. This will ensure Canberrans continue to have access to health services that meet the needs of our growing and aging community. This continues the Government's commitment to investing in health services, infrastructure and staff to ensure we deliver high quality health care for all Canberrans.[[349]](#footnote-349)

* 1. When asked what new services would be provided using the additional $60 million in the appropriation, the Minister told the Committee the appropriation was so that Canberra Health Services could meet its targets and manage increased demand.[[350]](#footnote-350)
  2. When asked whether the appropriation was for business as usual or a new initiative, the Minister told the Committee it would continue to provide the services that Canberra Hospital provides to the community in an environment of increased demand[[351]](#footnote-351)
  3. When asked whether the increasing financial burden on ACT hospitals was due not only to increased demand (in terms of numbers) but also increasingly complex—and therefore more costly—cases and procedures, the Chief Executive Officer, Canberra Health Services, agreed and told the Committee this was definitely the case saying:

The more complex the care is, often the longer they stay, the more comorbidities or other illnesses they might have at the same time. It is often more complex. Canberra Health Services in particular… is a tertiary centre. We are a regional trauma centre. We have the complex facilities and the complex capability for that sort of complex care.[[352]](#footnote-352)

* 1. The Minister also spoke about this. She told the Committee that, regarding presentations to emergency departments in the ACT:

we are seeing the number of category 1 and category 2 patients increasing quite dramatically in some cases. Categories 4 and 5 are going down. So we might see the same number of presentations at ED but more of them are at the category 1, 2 and 3 end.[[353]](#footnote-353)

* 1. She told the Committee:

when I talk to the people at EDs, whether it is Calvary or Canberra Hospital, what I am also hearing from the people who run the emergency departments, or run the hospitals, is that more patients are coming in with comorbidity and there are more frail older patients with other health conditions. It takes longer to treat them and to understand the underlying issues that they are presenting with. Or they might be presenting with one issue but there are underlying issues that complicate that treatment.[[354]](#footnote-354)

* 1. The Chief Executive Officer, Canberra Health Services, told the Committee:

I have to admit that we feel as though we are playing catch-up, because the demand keeps increasing. We have to get better and better and more efficient at managing capacity across the organisation. We put in strategies through winter to increase our bed capacity so that people can transition through the emergency department as quickly as possible while still getting the right care in the right place. We have a number of different strategies. We are looking at long-stay patients, patients who are waiting for residential care or waiting for the next level of care somewhere else—how we are managing those patients, what decisions are being made and how we are assessing them quickly: using care pathways in the community options that we have but also working with residential care to move patients into what is a home, out of what is a hospital environment.[[355]](#footnote-355)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[356]](#footnote-356)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Empty Cell | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| Expenses | 59,696 | 0 | 0 | 0 | 59,696 |

* 1. In hearings, the Committee sought to establish when a proposal for Canberra Health Service (CHS) to seek a supplementary appropriation was first considered. When asked as to the financial position of CHS at the end of December 2019, the Chief Financial Officer, CHS, told the Committee that at that point CHS was ‘running at a deficit of $35 million, which [was] $5 million worse than our six-month budget’, and agreed that at that point CHS was ‘deficit budgeting’. He agreed that without an additional appropriation CHS would have run out of funds for its day to day business in the fourth quarter of the 2019-20 financial year.[[357]](#footnote-357)
  2. When asked when discussion about CHS seeking an additional appropriation began, the Minister told the Committee that they had begun ‘really in earnest in probably October’ 2019.[[358]](#footnote-358)
  3. When asked when CHS knew that it would have a $30 million deficit in the first half of the 2019-20 financial year, the Chief Financial Officer told the Committee:

We do our results on a monthly basis, so in Q3 we start forecasting forward to the end of the year, 30 June. We have a good handle on how our activity is going. We understand from the clinical perspective about what we can and cannot do to manage that activity. October was when we started to look at, with the funding that we had at that moment through the existing appropriation, how long that would last us if activity continued to go at the pace it was going at.[[359]](#footnote-359)

* 1. He told the Committee:

Quarter 2 was when we understood that we would be running at a deficit over and above our current appropriation and the focus was on how long we could work with that before we needed a top-up of funding.[[360]](#footnote-360)

* 1. When asked whether CHS knew at the end of Quarter 1, 2019-20 it was facing a $60 million deficit for the 2019-20 financial year, the Chief Finance Officer told the Committee that it did not, ‘not to that extent’, and at that time believed the deficit was in the order of $30 million to $40 million. He told the Committee that a clear picture of the extent of the coming deficit emerged 10 days after closing-off accounts for Quarter 1, on 13 or 14 October 2019.[[361]](#footnote-361)
  2. When asked whether the effect of subsequent bushfires and smoke pollution was not a factor in determining the financial position at this point, because it was already known that there would be a $60 million deficit before the fires became a significant influence, the Chief Financial Officer agreed.[[362]](#footnote-362)
  3. The Committee also asked whether anything in the proposed supplementary appropriation changed after the Committee was advised on 13 December 2019 that there would be a further appropriation bill, the Chief Financial Officer said that it had not.[[363]](#footnote-363)

### ‘Cultural tourism hub at the Yarramundi Cultural Centre’ (CSD)

#### Program

* 1. As noted above in connection with matters under the responsibility of the Chief Minister, regarding the appropriation item ‘Cultural tourism hub at the Yarramundi Cultural Centre’, the Budget Review stated:

The Government will work with the Aboriginal and Torres Strait Islander Elected Body and the Aboriginal and Torres Strait Islander community to identify options to create an Aboriginal and Torres Strait Islander cultural tourism precinct and business hub at the Yarramundi Reach Cultural Centre. The work will also include the development of a strategic vision to establish community control and management for the Yarramundi Cultural Centre.[[364]](#footnote-364)

* 1. In hearings, the Committee noted that CSD and CMTEDD both had responsibilities in connection with the appropriation, and asked how that would work. The Minister told the Committee that CSD had responsibility for co-design about how the centre will be managed and that this was being done in parallel to the work that CMTEDD. The Minister said that the commercial opportunity at the cultural centre would support growing Indigenous tourism businesses in the ACT.[[365]](#footnote-365)
  2. When asked for further detail on what be done with the appropriation, the Deputy Director-General, CSD, told the Committee the projects consisted of co-design work with the community to develop community and what constitutes cultural tourism on that site.[[366]](#footnote-366)
  3. When asked whether it would be funded on an ongoing basis, the Minister told the Committee that it:

depended on the outcome of the current process. It is not reasonable to say that there is no tangible benefit to the community if what comes out of this is a decision that is co-designed with the community about what the future of Yarramundi cultural centre looks like. There is currently a lot of uncertainty in the community and there is a lot of feedback that we need to have that conversation. We need to come to a decision about what the future of the cultural centre looks like.[[367]](#footnote-367)

#### Finances

* 1. As noted above, for this appropriation item, the Budget Review presented the following figures: [[368]](#footnote-368)

|  | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| --- | --- | --- | --- | --- | --- |
| Expenses – Community Services Directorate | 173 | 0 | 0 | 0 | 173 |
| Expenses – Chief Minister, Treasury and Economic Development Directorate | 100 | 0 | 0 | 0 | 100 |
| Total Expenses | **273** | **0** | **0** | **0** | 273 |

* 1. The Committee asked whether there was an urgency attached to this initiative that led to CSD seeking a supplementary appropriation, for Quarter 4 of the 2019-20 year, or whether it could have been included in the following year’s budget. The Minister told the Committee it is not being done in the last three months of the year but had been cash-managed by both the office for Aboriginal and Torres Strait Islander affairs and CMTEDD, which reflected the importance of the work.[[369]](#footnote-369)

### ‘Building capacity in Child and Youth Protection Services’

#### Program

* 1. Regarding the appropriation item ‘Building capacity in Child and Youth Protection Services’, the Budget Review stated:

The Government will strengthen the oversight and delivery of services to vulnerable and at­risk children, young people and their families by providing ongoing staff and resources for the Practice and Performance function in Child and Youth Protection Services.[[370]](#footnote-370)

* 1. When asked about what was proposed and what was new in the initiative, the Minister told the Committee part of the funding would provide training and capacity, but a large proportion was for the continuation of the case analysis function introduced in response to the Glanfield review and previously funded from the family safety levy money. The Minister went on to say that case analysis had proved to be very valuable and was something that should be embedded in the CYPS.[[371]](#footnote-371)
  2. When asked for further detail about how the appropriation would be expended, the Executive Group Manager, Children, Youth and Families, told the Committee that part of the funds would go toward the case analysis team, while other elements would go to training and ‘some operational policy development’.[[372]](#footnote-372)
  3. In terms of staffing, she told the Committee the funding would be applied to a SOGB position for training and development, the manager [presumably SOGB]of the training and development unit; two SOGC policy positions and an HP3 or CYPP3, in the case analysis team or five FTE.[[373]](#footnote-373)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[374]](#footnote-374)

|  | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| --- | --- | --- | --- | --- | --- |
| Expenses | 389 | 800 | 822 | 834 | 2,845 |

### ‘Increased support for the Bimberi Youth Justice Centre’

#### Program

* 1. Regarding the appropriation item ‘Increased support for the Bimberi Youth Justice Centre’, the Budget Review stated:

The Government will strengthen specialist capacity at Bimberi Youth Justice Centre including infrastructure upgrades, and enhancing trauma advice and consultation, information collection and analysis, and work health and safety capabilities. This initiative responds to the *Independent Review of the Incident at Bimberi Youth Justice Centre on 26 August 2019*.[[375]](#footnote-375)

* 1. Regarding the urgency of this appropriation item, the Minister told the Committee: it is partially in response to the major incident that occurred at Bimberi last year the independent review conducted of that incident by Peter Muir.[[376]](#footnote-376)
  2. The Executive Senior Branch Manager, Practice and Performance, Children, Youth and Families, told the Committee the initiative provides for some infrastructure improvements that directly flow from the review into the major incident’ but also from advice from WorkSafe ACT, who have also been undertaking an investigation arising from the incident.[[377]](#footnote-377)
  3. She told the Committee that work to be funded under the appropriation included upgrades and a review of the access control system also some upgrades to duty points within units.[[378]](#footnote-378)
  4. When asked about findings in the Muir report that there was not sufficient therapeutic capacity to deal with a complex population, the Minister told the Committee that Bimberi had had a part-time principal therapeutic practitioner, but this would now be upgraded to a full-time position.[[379]](#footnote-379)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[380]](#footnote-380)

|  | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| --- | --- | --- | --- | --- | --- |
| Expenses | 555 | 525 | 538 | 546 | 2,164 |
| Depreciation | 0 | 0 | 150 | 150 | 300 |
| **Total Expenses** | 555 | 525 | 688 | 696 | 2,464 |
| Associated Capital | 0 | 750 | 0 | 0 | 750 |

* 1. When asked about the $555,000 allocated under the appropriation for the balance of the current financial year, the Executive Senior Branch Manager told the Committee that this would fund a ‘CYPP5 principal practitioner’; ‘a SOG C intelligence officer; a point four SOGC work health and safety adviser; and a point six SOGC training officer’.[[381]](#footnote-381) It would also fund consultancies to assess the access control system.[[382]](#footnote-382)

### ‘More support for the Out of Home Care system’

#### Program

* 1. Regarding the appropriation item ‘More support for the Out of Home Care system’, the Budget Review stated:

The Government will enhance its support for vulnerable children and young people in the Out of Home Care system. This investment includes resources to plan and design the next iteration of *A Step Up for Our Kids* Strategy (2015-2020).[[383]](#footnote-383)

* 1. When asked about the purpose of this initiative, the Minister told the Committee it covered a number of things. The primary investment of $3.189 million until June 2022 was for a specialist therapeutic response called the ‘sanctuary model’ to provide a safe environment for young people with complex needs 24 hours a day, seven days a week. The program was intended to provide an ‘individualised intensive service response’ in a residential care environment.[[384]](#footnote-384)
  2. When asked, the Minister agreed that $3.189 million of the appropriation for this initiative was ‘an investment in a specialist therapeutic response’ intended to provide care for a single client.[[385]](#footnote-385)

#### Finances

* 1. For this appropriation item, the Budget Review presented the following figures: [[386]](#footnote-386)

|  | 2019-20  $’000 | 2020-21  $’000 | 2021-22  $’000 | 2022-23  $’000 | Total  $’000 |
| --- | --- | --- | --- | --- | --- |
| Expenses – Community Services Directorate | 1,772 | 2,243 | 399 | 0 | 4,414 |
| Expenses – Chief Minister, Treasury and Economic Development Directorate | 76 | 152 | 0 | 0 | 228 |
| Total Expenses | **1,848** | **2,395** | **399** | **0** | 4,642 |

* 1. When asked for further detail on proposed expenditure under the appropriation, the Minister told the Committee $688,000 was for two staff until June 2021 in the children, youth and families division to support the update of the *A Step Up for Our Kids* strategy and a further $228,000 for a staff member in CMTEDD to support this work also.[[387]](#footnote-387) In addition, the appropriation also included provision for ‘a payment of $87,000 to Barnardos for some unforeseen costs arising from the transition of residential care services’, following the withdrawal of Premier Youthworks from the *ACT Together* consortium.[[388]](#footnote-388)

### Committee comment

* 1. The Committee notes there was a very significant degree of urgency to meet an anticipated shortfall in funding for CHS because, it appears, without the supplementary appropriation CHS would not be able to pay its staff in June 2020.
  2. While witnesses told the Committee that the CHS operating deficit was due to higher numbers and increased complexity in care and procedures, and that provision of health services to NSW patients placed a heavy demand on CHS, some members of the Committee considered that none of these things were new.[[389]](#footnote-389)
  3. It is reasonable to expect that an entity with considerable service and financial obligations will develop projections of future cost and financial position. In this case the Committee was told that a significant financial short-fall (of $30 million to $40 million) was first discovered in October 2019 and that it then increased to an anticipated $60 million in December 2019. Some members of the Committee were not convinced by an attempt to link the additional expenditure to events which occurred after the Committee was advised that the Bill would be presented to the Assembly.[[390]](#footnote-390)
  4. Some members of the Committee do not believe that it was adequately explained how the anticipated operating deficit of $60 million for CHS in the 2019-2020 financial year came to be, or why it was decided that it would be dealt with at the last minute, by way of a supplementary appropriation, rather than being included in the main budget cycle. At this point the Committee still has not received answers to these questions.[[391]](#footnote-391)

|  |
| --- |
| Recommendation 7  A majority of members of the Committee recommend that the ACT Government advise the Legislative Assembly why an anticipated $60 million operating deficit for Canberra Health Services for the 2019-20 financial year was only identified in late 2019, and to outline the causes of that deficit.[[392]](#footnote-392) |

Vicki Dunne MLA  
Chair

Report adopted by Committee 26 March 2020

## Appendix A – Selected relevant provisions of the *Financial Management Act 1996*

Selected relevant provisions of the *Financial Management Act 1996* (ACT) include:

|  |  |
| --- | --- |
| Section | Provision |
| s 6, ‘Necessity for appropriation’ | ‘No payment of public money must be made otherwise than in accordance with an appropriation’. |
| s 7A, ‘Temporary advance for new purpose or new entity’ | ss (2), ‘The Treasurer may, in writing, authorise an amount (a temporary advance) for expenditure for the new purpose or new entity if the Treasurer is satisfied that there is an immediate requirement for the expenditure.’ |
| s 8, ‘Form of appropriations’ | ss (1), ‘(1) An Appropriation Act may make separate appropriations in relation to each directorate for—  (a) any controlled recurrent payments to be provided to the directorate; and  (b) any capital injection to be provided to the directorate; and  (c) any payments to be made by the directorate on behalf of the Territory.’ |
| s 10, ‘Budget papers’ | ss 1, ‘The Treasurer must, for each financial year, immediately after the presentation of the bill for the first Appropriation Act relating to the year, present to the Legislative Assembly— (a) the proposed budget for the Territory for the year; and (b) the proposed budget for each directorate for the year; and (c) the proposed budget for each territory authority and territory-owned corporation for the year; and (d) a consolidated financial management statement in relation to—  (i) the general government sector; and  (ii) the public trading enterprise sector. |
| s 11, ‘Territory budgets’ | description of what the ‘proposed budget for the Territory for a financial year’ presented to the Legislative Assembly ‘must include’ |
| s 11A, ‘Financial policy objectives and strategies statement’ | description of the ‘purposes of a financial policy objectives and strategies statement included in a proposed budget under section 11 (1) (a)’ |
| s 13, ‘Supplementary budget papers’ | provides that if the Treasurer presents a bill for an Appropriation Act relating to a financial year’ to the Legislative Assembly other than ‘ (a) the bill for the first Appropriation Act relating to the year’, the Treasurer (2) ‘must also present supplementary budget papers to the Assembly’ and (3) what the supplementary budget papers must include |
| s 13A, ‘Amendment of budgets for supplementary appropriation’ | provides that a supplementary appropriation amends the budget set out in the first Appropriation Act for a financial year |
| s 14, ‘Transfer of funds between appropriations’ | provides that (1) the Treasurer ‘may, in writing, direct that appropriations made by an Appropriation Act be varied by transfers of funds between the appropriations’ as long as (2) this does not ‘cause an appropriation from which funds are transferred to be reduced by more than 3%’. |
| s 14A, ‘Transfer of funds from capital injection appropriation to other appropriations’ | provides that (1) the Treasurer may direct that an appropriation for capital injection for an entity be varied so that it becomes an appropriation for controlled recurrent payments or payments on behalf of the Territory, subject (2) to certain requirements to report to the Assembly |
| s 14B, ‘Transfer of funds from other appropriations to capital injection appropriation’ | provides that the Treasurer may direct that appropriations for an entity for controlled recurrent payments or payments on behalf of the Territory be varied so that they add or provide a capital injection appropriation |
| s 15A, ‘Reclassification of certain appropriations’ | provides that the Treasurer may direct that an appropriation to an entity be re-classified as an appropriation for controlled recurrent payments |
| s 16, ‘Transfer of functions to another entity’ | provides that where a function has been transferred from one entity to another the Treasurer may direct that the appropriation may be ‘issued to, or applied by’, the other territory entity for the service or function |
| s 16B, ‘Rollover of undisbursed appropriation’ | provides that ‘if, at the end of the financial year in which the appropriation is made, the amount is not disbursed to the territory entity to which it is appropriated’, the Treasurer may ‘be disbursed in the following financial year’ to the entity or if responsibility for a service or function has been transferred to another territory entity, to that entity |
| s 18, ‘Treasurer’s advance’ | provides that the Treasurer ‘may, in writing, authorise appropriation (a Treasurer’s advance) for a payment if—  (a) the Treasurer is satisfied that—  (i) there is an immediate requirement for the payment; and  (ii) the payment is not provided for, or is insufficiently provided for, by an appropriation because—  (A) there was an erroneous omission or understatement in an appropriation; or  (B) the payment was unforeseen until after the last day when it was practicable to provide for it in the relevant Appropriation Bill before the bill was introduced into the Legislative Assembly’, so long as  (c) ‘the total Treasurer’s advances authorised as Treasurer’s advances in a financial year do not exceed the amount appropriated for that year for Treasurer’s advances’ and  (2) ‘The amount appropriated for Treasurer’s advances for a financial year [does] not exceed 1% of the total amount appropriated by all Appropriation Acts for the year’. |
| s 18A, ‘Treasurer’s advance—payment pending supplementary appropriation’ | provides that (1) if an authorisation for a Treasurer’s advance states that if the payment may be made by way of a supplementary appropriation Act, (2) (a)the ‘Treasurer’s advance ceases’ and (b) ‘the amount of the Treasurer’s advance is taken for all purposes to have been paid out of money appropriated by that Act’ |
| s 18B, ‘Treasurer’s advance—reduction of amounts’ | provides that the Treasurer may authorise a reduction in a Treasurer’s advance if 1(b) ‘the Treasurer’s advance has not been fully disbursed to the entity’ and (c) ‘the Treasurer is satisfied that the undisbursed amount is no longer required by the entity’ |
| s 18C, ‘Assembly to be told about Treasurer’s advance’ | provides that if the Treasurer authorises a Treasurer’s advance or a reduction in the amount of a Treasurer’s advance, the Treasurer must notify the Assembly and provide it with documentation as specified |
| s 18D, ‘Capital works reserve—appropriation’ | provides that an Appropriation Act may (1) ‘make an appropriation for a capital works reserve’, so long as (2) ‘The amount appropriated for the capital works reserve for a financial year must not exceed 20% of the total amount appropriated for the capital works program by all Appropriation Acts for the financial year’. |

## Appendix B – Witnesses

**Hearings of 28 February 2020**

* + - Mr Andrew Barr, Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tertiary Education, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment
    - Mr Stephen Miners, Acting Under Treasurer, Chief Minister, Treasury and Economic Development Directorate
    - Mr Daniel Bailey, Executive Group Manager, Property and Venues, Commercial Services and Infrastructure, Chief Minister, Treasury and Economic Development Directorate
    - Ms Sue Vroombout, Acting Deputy Under Treasurer, Economic, Budget and Industrial Relations, Chief Minister, Treasury and Economic Development Directorate
    - Ms Rebecca Kelley, Executive Branch Manager, Sport and Recreation, Economic Development Division, Chief Minister, Treasury and Economic Development Directorate
    - Mr Duncan Edghill, Chief Projects Officer, Major Projects Canberra, Chief Minister, Treasury and Economic Development Directorate

**Hearings of 2 March 2020**

* + - Ms Suzanne Orr, Minister for Community Services and Facilities, Minister for Disability, Minister for Employment and Workplace Safety and Minister for Government Services and Procurement
    - Ms Anne-Maree Sabellico, Deputy Director-General, Community Services Directorate
    - Ms Robyn Calder, Executive Group Manager, Corporate Services, Community Services Directorate
    - Ms Christine Murray, Executive Group Manager, Inclusion and Participation, Community Services Directorate
    - Ms Amanda Charles, Senior Director, Office for Disability, Community Services Directorate
    - Mr David Nicol, Under Treasurer, Chief Minister, Treasury and Economic Development Directorate
    - Mr Shaun Strachan, Deputy Under Treasurer, Chief Minister, Treasury and Economic Development Directorate
    - Mr Michael Young, Executive Group Manager, Workplace Safety and Industrial Relations, Chief Minister, Treasury and Economic Development Directorate
    - Ms Nicole Masters, Executive Branch Manager, Procurement ACT, Chief Minister, Treasury and Economic Development Directorate
    - Mr Gordon Ramsay, Attorney-General, Minister for the Arts, Creative Industries and Cultural Events, Minister for Building Quality Improvement, Minister for Business and Regulatory Services and Minister for Seniors and Veterans
    - Mr Richard Glenn, Director-General, Justice and Community Safety Directorate
    - Ms Dragana Cvetkovski, Chief Finance Officer, Justice and Community Safety Directorate
    - Mr Andrew Taylor, Public Trustee and Guardian, Justice and Community Safety Directorate
    - Ms Helen Connolly, Senior Director, Guardianship Unit, Public Trustee and Guardian, Justice and Community Safety Directorate
    - Mr Philip Kellow, CEO and Principal Registrar, ACT Courts and Tribunal, Justice and Community Safety Directorate
    - Ms Erin Brady, Deputy Director-General, Environment, Planning and Sustainable Development Directorate
    - Ms Thao Lee, Chief Financial Officer, Environment, Planning and Sustainable Development Directorate
    - Ms Vanessa Morris, Director, Building Policy, Environment, Planning and Sustainable Development Directorate
    - Mr Chris Steel, Minister for City Services, Minister for Multicultural Affairs, Minister for Recycling and Waste Reduction, Minister for Roads and Active Travel and Minister for Transport
    - Ms Alison Playford, Director-General, Transport Canberra and City Services Directorate
    - Mr Ben McHugh, Acting Deputy Director-General, Transport Canberra and Business Services, Transport Canberra and City Services Directorate
    - Mr Jim Corrigan, Deputy Director-General, City Services, Transport Canberra and City Services Directorate
    - Mr Andrew Pedersen, Chief Financial officer, Transport Canberra and City Services Directorate
    - Ms Judith Sturman, Executive Group Manager, Transport Operations, Transport Canberra and City Services Directorate
    - Ms Jo Dawson, Executive Branch Manager, Light Rail Operations, Transport Canberra and City Services Directorate
    - Ms Meghan Oldfield, Executive Group Manager, Infrastructure Delivery and Waste, Transport Canberra and City Services Directorate
    - Mr Jeremy Smith, Executive Branch Manager, Infrastructure Delivery, City Services, Transport Canberra and City Services Directorate
    - Mr Duncan Edghill, Chief Projects Officer, Major Projects Canberra Transport Canberra and City Services Directorate

**Hearings of 4 March 2020**

* + - Ms Yvette Berry, Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women
    - Mr David Matthews, Acting Deputy Director-General, Education Directorate
    - Ms Lynette Daly, Chief Finance Officer, Strategic Finance and Procurement, Education Directorate
    - Mr Ross Hawkins, Executive Group Manager, Service Design and Delivery, Education Directorate
    - Ms Jo Wood, Acting Director-General, Community Services Directorate
    - Mr Shane Rattenbury, Minister for Climate Change and Sustainability, Minister for Corrections and Justice Health, Minister for Justice, Consumer Affairs and Road Safety and Minister for Mental Health
    - Mr Richard Glenn, Director-General, Justice and Community Safety Directorate
    - Ms Karen Greenland, Executive Branch Manager, Legislation, Policy and Programs, Justice and Community Safety Directorate
    - Dr Kim Hosking, Executive Branch Manager, Legislation, Policy and Programs, Justice and Community Safety Directorate
    - Ms Amanda Lutz, Manager, Restorative Justice Unit, Legislation, Policy and Programs, Justice and Community Safety Directorate
    - Mr Geoffrey Rutledge, Deputy Director-General, Environment, Planning and Sustainable Development Directorate
    - Mr Gene McGlynn, Executive Group Manager, Climate Change and Sustainability, Environment, Planning and Sustainable Development Directorate
    - Mr Mick Gentleman, Minister for Advanced Technology and Space Industries, Minister for the Environment and Heritage, Minister for Planning and Land Management and Minister for Police and Emergency Services
    - Dr Erin Brady, Deputy Director-General, General Land Strategy and Environment, Environment, Planning and Sustainable Development Directorate
    - Mr Ian Walker, Executive Group Manager Environment, Environment, Planning and Sustainable Development Directorate
    - Mr Justin Foley, Executive Branch Manager, ACT Parks and Conservation Service, Environment, Planning and Sustainable Development Directorate
    - Ms Georgeina Whelan, Commissioner, ACT Emergency Services Agency, Justice and Community Safety Directorate
    - Mr Joe Murphy, Chief Officer Rural Fire Service, ACT Emergency Services Agency, Justice and Community Safety Directorate
    - Commander Michael Chew, Acting Chief Police Officer, ACT Policing, Justice and Community Safety Directorate
    - Ms Rachel Stephen-Smith, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Children, Youth and Families, Minister for Health and Minister for Urban Renewal
    - Mr Michael De’ath, Director-General, ACT Health Directorate
    - Ms Kate Chambers, Chief Finance Officer, Strategic Finance, Corporate and Governance, ACT Health Directorate
    - Ms Bernadette McDonald, Chief Executive Officer, Canberra Health Services
    - Mr Andrew Gay, Chief Financial Officer, Canberra Health Services
    - Ms Anne-Maree Sabellico, Deputy Director-General, Community Services Directorate
    - Ms Helen Pappas, Executive Group Manager, Children, Youth and Families, Community Services Directorate
    - Ms Lisa Charles, Executive Branch Manager, Office for Aboriginal and Torres Strait Islander Affairs, Community Services Directorate, Community Services Directorate
    - Ms Jodie Robinson, Executive Senior Branch Manager, Practice and Performance, Children, Youth and Families, Community Services Directorate

1. Legislative Assembly for the ACT, *Minutes of Proceedings No. 2*, 13 December 2016, p.13, available at: <https://www.parliament.act.gov.au/__data/assets/pdf_file/0008/1017980/MoP002F1.pdf> [↑](#footnote-ref-1)
2. Legislative Assembly for the ACT, *Minutes of Proceedings* *No. 37*, 26 October 2017, p.489, available at: <https://www.parliament.act.gov.au/__data/assets/pdf_file/0003/1122285/MOP037F.pdf> [↑](#footnote-ref-2)
3. Minutes of Proceedings, Legislative Assembly for the ACT, No 125 – 13 February 2020, p.1868, available at: <https://www.parliament.act.gov.au/__data/assets/pdf_file/0007/1480381/MoP125F.pdf> [↑](#footnote-ref-3)
4. Email from Treasury DLO to Secretary, Standing Committee on Public Accounts, 20 December 2019. [↑](#footnote-ref-4)
5. Minutes of Proceedings, Legislative Assembly for the ACT, No 125 – 13 February 2020, p.1868, available at: <https://www.parliament.act.gov.au/__data/assets/pdf_file/0007/1480381/MoP125F.pdf> [↑](#footnote-ref-5)
6. *Proof Transcript of Evidence*, 28 February 2020, p.1 *ff.* [↑](#footnote-ref-6)
7. *Proof Transcript of Evidence*, 2 March 2020, p.49 *ff.* [↑](#footnote-ref-7)
8. *Proof Transcript of Evidence*, 2 March 2020, p.82 *ff.* [↑](#footnote-ref-8)
9. *Proof Transcript of Evidence*, 2 March 2020, p.100 *ff.* [↑](#footnote-ref-9)
10. *Proof Transcript of Evidence*, 4 March 2020, p.221 *ff.* [↑](#footnote-ref-10)
11. *Proof Transcript of Evidence*, 4 March 2020, p.168 *ff.* [↑](#footnote-ref-11)
12. *Proof Transcript of Evidence*, 4 March 2020, p.191 *ff.* [↑](#footnote-ref-12)
13. *Proof Transcript of Evidence*, 4 March 2020, p.194 *ff.* [↑](#footnote-ref-13)
14. *Financial Management Act 1996* (ACT)*,* s 6. [↑](#footnote-ref-14)
15. *Financial Management Act 1996* (ACT)*,* s 7A. [↑](#footnote-ref-15)
16. *Financial Management Act 1996* (ACT)*,* s 8. [↑](#footnote-ref-16)
17. *Financial Management Act 1996* (ACT)*,* s 10. [↑](#footnote-ref-17)
18. *Financial Management Act 1996* (ACT)*,* s 11. [↑](#footnote-ref-18)
19. *Financial Management Act 1996* (ACT)*,* s 11A. [↑](#footnote-ref-19)
20. *Financial Management Act 1996* (ACT)*,* s 13. [↑](#footnote-ref-20)
21. *Financial Management Act 1996* (ACT)*,* s 13A. [↑](#footnote-ref-21)
22. *Financial Management Act 1996* (ACT)*,* ss 14, 14A, 14B, 15A, 16, 16B. [↑](#footnote-ref-22)
23. *Financial Management Act 1996* (ACT)*,* ss 18, 18A. [↑](#footnote-ref-23)
24. *Financial Management Act 1996* (ACT)*,* ss 18B. [↑](#footnote-ref-24)
25. *Financial Management Act 1996* (ACT)*,* ss 18C. [↑](#footnote-ref-25)
26. *Financial Management Act 1996* (ACT)*,* ss 18D. [↑](#footnote-ref-26)
27. David Mervin, ‘Appropriation’, in eds. McLean, I and McMillan, A, *The Concise Oxford Dictionary of Politics* [125.]:‘‘The allocation of money by public officials for specific purposes. Control by the legislature over the raising of revenue and the expenditure of public funds has been seen historically as an essential requirement of democratic government’. [↑](#footnote-ref-27)
28. *Bill of Rights [1688] 1688 CHAPTER 2 1 Will and Mar Sess 2*: ‘That levying Money for or to the Use of the Crowne by pretence of Prerogative without Grant of Parlyament for longer time or in other manner then the same is or shall be granted is Illegall’, viewed 16 March 2020, available at: <http://www.legislation.gov.uk/aep/WillandMarSess2/1/2/introduction> See also Lucinda Maer and Oonagh Gay, ‘The Bill of Rights 1689’, House of Commons Library, p.4, viewed 16 March 2020, available at: <http://researchbriefings.files.parliament.uk/documents/SN00293/SN00293.pdf> [↑](#footnote-ref-28)
29. Ms Cheyne and Ms Cody wish to note their dissent from this paragraph. [↑](#footnote-ref-29)
30. Ms Cody wishes to note her dissent from this paragraph. [↑](#footnote-ref-30)
31. *Proof Transcript of Evidence*, 28 February 2020, p.1 *ff.* [↑](#footnote-ref-31)
32. *2019-20 Budget Review*, p.83. [↑](#footnote-ref-32)
33. *2019-20 Budget Review*, p.83. [↑](#footnote-ref-33)
34. *Proof Transcript of Evidence*, 28 February 2020, p3. [↑](#footnote-ref-34)
35. Mr Stephen Miners, *Proof Transcript of Evidence*, 28 February 2020, p.5. [↑](#footnote-ref-35)
36. *2019-20 Budget Review*, p.47. [↑](#footnote-ref-36)
37. Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 28 February 2020, p.5. [↑](#footnote-ref-37)
38. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, p.242. [↑](#footnote-ref-38)
39. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, p.242. [↑](#footnote-ref-39)
40. *2019-20 Budget Review*, p.47. [↑](#footnote-ref-40)
41. Ms Lisa Charles, *Proof Transcript of Evidence*, 4 March 2020, p.243. [↑](#footnote-ref-41)
42. *2019-20 Budget Review*, p.45. [↑](#footnote-ref-42)
43. Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 28 February 2020, p.5. [↑](#footnote-ref-43)
44. Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 28 February 2020, p.6. [↑](#footnote-ref-44)
45. Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 28 February 2020, p.6. [↑](#footnote-ref-45)
46. Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 28 February 2020, p.6. [↑](#footnote-ref-46)
47. Mr Andrew Barr MLA, *Proof Transcript of Evidence*, 28 February 2020, p.6. [↑](#footnote-ref-47)
48. *2019-20 Budget Review*, p.45. [↑](#footnote-ref-48)
49. Mr Daniel Bailey, *Proof Transcript of Evidence*, 28 February 2020, p.7. [↑](#footnote-ref-49)
50. *2019-20 Budget Review*, p.84. [↑](#footnote-ref-50)
51. *2019-20 Budget Review*, p.84. [↑](#footnote-ref-51)
52. *Proof Transcript of Evidence*, 28 February 2020, p.14. [↑](#footnote-ref-52)
53. *Proof Transcript of Evidence*, 28 February 2020, p.14. [↑](#footnote-ref-53)
54. *Proof Transcript of Evidence*, 28 February 2020, p.13, and see *2019-20 Budget Review*, p.84. [↑](#footnote-ref-54)
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300. *2019-20 Budget Review*, p.60. [↑](#footnote-ref-300)
301. Mr Shane Rattenbury MLA, *Proof Transcript of Evidence*, 4 March 2020, p.185. [↑](#footnote-ref-301)
302. Mr Shane Rattenbury MLA, *Proof Transcript of Evidence*, 4 March 2020, p.185. [↑](#footnote-ref-302)
303. *2019-20 Budget Review*, p.62. [↑](#footnote-ref-303)
304. See Laurie Glanfield AM, *Report of the Inquiry: Review in to the system level responses to family violence in the ACT*, April 2016, p.7, viewed 19 March 2020, available at: <https://www.cmtedd.act.gov.au/__data/assets/pdf_file/0010/864712/Glanfield-Inquiry-report.pdf> [↑](#footnote-ref-304)
305. Mr Shane Rattenbury MLA, *Proof Transcript of Evidence*, 4 March 2020, p.187. [↑](#footnote-ref-305)
306. *2019-20 Budget Review*, p.62. [↑](#footnote-ref-306)
307. *2019-20 Budget Review*, p.53. [↑](#footnote-ref-307)
308. Mr Shane Rattenbury MLA, *Proof Transcript of Evidence*, 4 March 2020, p.191. [↑](#footnote-ref-308)
309. Mr Geoffrey Rutledge, *Proof Transcript of Evidence*, 4 March 2020, p.191. [↑](#footnote-ref-309)
310. Mr Geoffrey Rutledge, *Proof Transcript of Evidence*, 4 March 2020, p.191. [↑](#footnote-ref-310)
311. *2019-20 Budget Review*, p.53. [↑](#footnote-ref-311)
312. *Proof Transcript of Evidence*, 4 March 2020, p.194 *ff*. [↑](#footnote-ref-312)
313. *2019-20 Budget Review*, p.55 [↑](#footnote-ref-313)
314. Mr Justin Foley, *Proof Transcript of Evidence*, 4 March 2020, pp.194-196. [↑](#footnote-ref-314)
315. *2019-20 Budget Review*, p.55 [↑](#footnote-ref-315)
316. Mr Justin Foley, *Proof Transcript of Evidence*, 4 March 2020, p.193. [↑](#footnote-ref-316)
317. *2019-20 Budget Review*, p.74. [↑](#footnote-ref-317)
318. Mr Mick Gentleman MLA, *Proof Transcript of Evidence*, 4 March 2020, p.196. [↑](#footnote-ref-318)
319. *2019-20 Budget Review*, p.74. [↑](#footnote-ref-319)
320. Mr Ian Walker, *Proof Transcript of Evidence*, 4 March 2020, p.198. [↑](#footnote-ref-320)
321. *2019-20 Budget Review*, p.55. [↑](#footnote-ref-321)
322. Mr Ian Walker, *Proof Transcript of Evidence*, 4 March 2020, p.201. [↑](#footnote-ref-322)
323. *2019-20 Budget Review*, p.55. [↑](#footnote-ref-323)
324. Mr Ian Walker, *Proof Transcript of Evidence*, 4 March 2020, p.202. [↑](#footnote-ref-324)
325. *2019-20 Budget Review*, p.56. [↑](#footnote-ref-325)
326. Mr Ian Walker, *Proof Transcript of Evidence*, 4 March 2020, p.204. [↑](#footnote-ref-326)
327. Mr Ian Walker, *Proof Transcript of Evidence*, 4 March 2020, p.205. [↑](#footnote-ref-327)
328. *2019-20 Budget Review*, p.56. [↑](#footnote-ref-328)
329. Mr Ian Walker, *Proof Transcript of Evidence*, 4 March 2020, p.205. [↑](#footnote-ref-329)
330. Mr Ian Walker, *Proof Transcript of Evidence*, 4 March 2020, p.205. [↑](#footnote-ref-330)
331. *2019-20 Budget Review*, p.55. [↑](#footnote-ref-331)
332. Mr Mick Gentleman MLA, *Proof Transcript of Evidence*, 4 March 2020, p.205. [↑](#footnote-ref-332)
333. *2019-20 Budget Review*, p.55. [↑](#footnote-ref-333)
334. Dr Erin Brady, *Proof Transcript of Evidence*, 4 March 2020, p.211. [↑](#footnote-ref-334)
335. Dr Erin Brady, *Proof Transcript of Evidence*, 4 March 2020, p.211. [↑](#footnote-ref-335)
336. Dr Erin Brady, *Proof Transcript of Evidence*, 4 March 2020, p.211. [↑](#footnote-ref-336)
337. *2019-20 Budget Review*, p.60. [↑](#footnote-ref-337)
338. Mr Mick Gentleman MLA, *Proof Transcript of Evidence*, 4 March 2020, p.213. [↑](#footnote-ref-338)
339. *2019-20 Budget Review*, p.60. [↑](#footnote-ref-339)
340. Mr Richard Glenn, *Proof Transcript of Evidence*, 4 March 2020, p.213. [↑](#footnote-ref-340)
341. Mr Joe Murphy, *Proof Transcript of Evidence*, 4 March 2020, p.214. [↑](#footnote-ref-341)
342. *2019-20 Budget Review*, p.58. [↑](#footnote-ref-342)
343. Commander Michael Chew, *Proof Transcript of Evidence*, 4 March 2020, p.217. [↑](#footnote-ref-343)
344. Commander Michael Chew, *Proof Transcript of Evidence*, 4 March 2020, p.217. [↑](#footnote-ref-344)
345. Commander Michael Chew, *Proof Transcript of Evidence*, 4 March 2020, p.218. [↑](#footnote-ref-345)
346. Commander Michael Chew, *Proof Transcript of Evidence*, 4 March 2020, p.218. [↑](#footnote-ref-346)
347. *2019-20 Budget Review*, p.58. [↑](#footnote-ref-347)
348. *Proof Transcript of Evidence*, 4 March 2020, p.221 *ff.* [↑](#footnote-ref-348)
349. *2019-20 Budget Review*, p.57. [↑](#footnote-ref-349)
350. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, p.221. [↑](#footnote-ref-350)
351. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, p.221. [↑](#footnote-ref-351)
352. Ms Bernadette McDonald, *Proof Transcript of Evidence*, 4 March 2020, p.225. [↑](#footnote-ref-352)
353. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, p.227. [↑](#footnote-ref-353)
354. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, p.227. [↑](#footnote-ref-354)
355. Ms Bernadette McDonald, *Proof Transcript of Evidence*, 4 March 2020, p.229. [↑](#footnote-ref-355)
356. *2019-20 Budget Review*, p.57. [↑](#footnote-ref-356)
357. Mr Andrew Gay, *Proof Transcript of Evidence*, 4 March 2020, p.230. [↑](#footnote-ref-357)
358. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, p.231. [↑](#footnote-ref-358)
359. Mr Andrew Gay, *Proof Transcript of Evidence*, 4 March 2020, p.231. [↑](#footnote-ref-359)
360. Mr Andrew Gay, *Proof Transcript of Evidence*, 4 March 2020, p.231. [↑](#footnote-ref-360)
361. Mr Andrew Gay, *Proof Transcript of Evidence*, 4 March 2020, p.232. [↑](#footnote-ref-361)
362. Mr Andrew Gay, *Proof Transcript of Evidence*, 4 March 2020, p.232. [↑](#footnote-ref-362)
363. Mr Andrew Gay, *Proof Transcript of Evidence*, 4 March 2020, p.232. [↑](#footnote-ref-363)
364. *2019-20 Budget Review*, p.47. [↑](#footnote-ref-364)
365. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, p.244. [↑](#footnote-ref-365)
366. Ms Anne-Maree Sabellico, *Proof Transcript of Evidence*, 4 March 2020, p.244. [↑](#footnote-ref-366)
367. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, pp.244-245. [↑](#footnote-ref-367)
368. *2019-20 Budget Review*, p.47. [↑](#footnote-ref-368)
369. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, p.245. [↑](#footnote-ref-369)
370. *2019-20 Budget Review*, p.47. [↑](#footnote-ref-370)
371. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, p.248. [↑](#footnote-ref-371)
372. Ms Helen Pappas, *Proof Transcript of Evidence*, 4 March 2020, p.249. [↑](#footnote-ref-372)
373. Ms Helen Pappas, *Proof Transcript of Evidence*, 4 March 2020, p.249. [↑](#footnote-ref-373)
374. *2019-20 Budget Review*, p.47. [↑](#footnote-ref-374)
375. *2019-20 Budget Review*, p.48. [↑](#footnote-ref-375)
376. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, p.251. [↑](#footnote-ref-376)
377. Ms Jodie Robinson, *Proof Transcript of Evidence*, 4 March 2020, p.251. Please see: *Interim Report of the Independent Review of the Incident at Bimberi Youth Justice Centre on 26 August 2019*, viewed 20 March 2020, available at: <https://www.parliament.act.gov.au/__data/assets/pdf_file/0011/1427429/Bimberi-Youth-Justice-Centre-Interim-Report-of-the-Independent-Review-of-the-Incident-at-Bimberi-Youth-Justice-Centre-on-26-August-2019-Executive-Summary.pdf> [↑](#footnote-ref-377)
378. Ms Jodie Robinson, *Proof Transcript of Evidence*, 4 March 2020, p.251. Ms Robinson defined ’duty points’ as ‘the central control area within each unit where staff undertake a lot of their operations within the centre’. [↑](#footnote-ref-378)
379. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, p.252. [↑](#footnote-ref-379)
380. *2019-20 Budget Review*, p.48. [↑](#footnote-ref-380)
381. Ms Jodie Robinson, *Proof Transcript of Evidence*, 4 March 2020, p.256. [↑](#footnote-ref-381)
382. Ms Jodie Robinson, *Proof Transcript of Evidence*, 4 March 2020, p.256. [↑](#footnote-ref-382)
383. *2019-20 Budget Review*, p.48. [↑](#footnote-ref-383)
384. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, p.257. [↑](#footnote-ref-384)
385. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, p.259. [↑](#footnote-ref-385)
386. *2019-20 Budget Review*, p.48. [↑](#footnote-ref-386)
387. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, p.258. [↑](#footnote-ref-387)
388. Ms Rachel Stephen-Smith MLA, *Proof Transcript of Evidence*, 4 March 2020, p.258. [↑](#footnote-ref-388)
389. Ms Cheyne and Ms Cody wish to note their dissent from this paragraph. [↑](#footnote-ref-389)
390. *Proof Transcript of Evidence*, 28 February 2020, p.41. [↑](#footnote-ref-390)
391. Proof Transcript of Evidence, 4 March 2020, pp.230-233. Ms Cheyne and Ms Cody wish to note their dissent from this paragraph. [↑](#footnote-ref-391)
392. Ms Cody wishes to note her dissent from this recommendation. [↑](#footnote-ref-392)