



**LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

SELECT COMMITTEE ON ESTIMATES 2025-2026

(Reference: [Inquiry into Appropriation Bill 2025-2026 and Appropriation
\(Office of the Legislative Assembly\) Bill 2025-2026](#))

Members:

MR E COCKS (Chair)
MR S RATTENBURY (Deputy Chair)
MS F CARRICK
MS C TOUGH

TRANSCRIPT OF EVIDENCE

CANBERRA

MONDAY, 4 AUGUST 2025

Secretary to the committee:
Dr D Monk (Ph: 620 50129)

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

APPEARANCES

City and Environment Directorate	1050, 1088
Education Directorate	1099
ACT Audit Office	1148
Human Rights Commission	1156

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Amended 20 May 2013

The committee met at 9.00 am

Appearances:

Steel, Mr Chris, Treasurer, Minister for Planning and Sustainable Development,
Minister for Heritage and Minister for Transport

City and Environment Directorate

Peffer, Mr Dave, Director-General

Smith, Mr Jeremy, Acting Executive Group Manager, Transport Canberra

McGlinn, Mr Ian, Executive Branch Manager, Bus Operations, Transport Canberra

Taylor-Dayus, Ms Sarah, Executive Branch Manager, Planning and Delivery

White, Mr Mark, Executive Branch Manager, MyWay+, Transport Canberra

Morgan, Mr David, Acting Chief Financial Officer, Finance

Vallance, Mx George, Acting Executive Branch Manager, Light Rail Operations

Clement, Ms Sophie, Executive Branch Manager, Infrastructure Delivery

THE CHAIR: Good morning and welcome to the public hearings of the Select Committee on Estimates 2025-2026 for its inquiry into Appropriation Bill 2025-2026 and Appropriation (Office of the Legislative Assembly) Bill 2025-2026. The committee will today hear from Mr Chris Steel MLA, in his capacities as Minister for Transport and Minister for Heritage; Ms Yvette Berry MLA, in her capacity as Minister for Education and Early Childhood; the ACT Auditor-General; and the ACT Human Rights Commission.

The committee wishes to acknowledge the traditional custodians of the land we are meeting on, the Ngunnawal people. We wish to acknowledge and respect their continuing culture and the contribution they make to the life of the city and this region. We would also like to acknowledge and welcome other Aboriginal and Torres Strait Islander people who may be attending today's event.

This hearing is a legal proceeding of the Assembly and has the same standing as proceedings of the Assembly itself. Therefore, today's evidence attracts parliamentary privilege. The giving of false or misleading evidence is a serious matter and may be regarded as contempt of the Assembly. The hearing is being recorded and transcribed by Hansard and will be published. The proceedings are also being broadcast and web-streamed live. When taking a question on notice, it would be useful if witnesses used these words: "I will take that question on notice." This will help the committee and witnesses to confirm questions taken on notice from the transcript.

We welcome Mr Chris Steel MLA, in his capacity as Minister for Transport. We also welcome the officials in attendance. Please note that, as witnesses, you are protected by parliamentary privilege and bound by its obligations. You must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. As we are not inviting opening statements, we will now proceed to questions, and I will pass my opening question to Ms Castley.

MS CASTLEY: Thank you, Chair. I would like to talk about the bus fleet, if I can. Minister, table 19 of page 20, budget statement E is titled "Reduced public transport-related greenhouse gas emissions". The percentage of electric buses currently in service

with Transport Canberra is 23 per cent, if I am correct. Is this inclusive of the four Custom Denning element 2 electric buses?

Mr Steel: I am going to invite Ms Taylor-Dayus to give some information there.

Ms Taylor-Dayus: Good morning. We currently have an operating fleet of 456. As at 1 August, we actually had 466 vehicles. That was with 10 pending for retirement. Of those, the four Custom Denning are included in that operable fleet.

MS CASTLEY: I understand that the Custom Denning buses were returned to the manufacturer a couple of times for undisclosed rectification and modification work. They were buses 748 and 749. The first two Dennings delivered to Transport Canberra were returned in January of 2025, but the 748 bus was returned to Denning again in May. Is that correct?

Ms Taylor-Dayus: That is correct. We have worked very closely with Custom Denning to ensure that those vehicles can deliver full operating services and routes.

MS CASTLEY: What is the work that is happening? What were they were unable to do?

Ms Taylor-Dayus: There is various technical work that they have been working on. Some of it has been in and around the high voltage and some it has been simpler work.

MS CASTLEY: Can we get any more details?

Ms Taylor-Dayus: I can take that on notice if you would like more technical details.

MS CASTLEY: Yes; that would great. Thank you. Information gathered by the office suggests that, as of 30 June, only bus 748 is active with Transport Canberra. Is that correct? Are more Custom Dennings being removed?

Ms Taylor-Dayus: We have actually got two Custom Dennings that are doing and completing full service routes at this point in time. The two further Custom Dennings are being worked on.

MS CASTLEY: The accountability indicators output 1.1 table on page 133 of budget statement H states that there are currently 60 zero-emissions buses in the service fleet—I think you talked about those numbers in the beginning—with the government aiming to have 106 by the end of this financial year. Will the remaining buses yet to enter the service be made up of the Yutong E12, or is Transport Canberra exploring alternative battery electric buses?

Ms Taylor-Dayus: We are currently receiving Yutong buses. We have a 90 contract delivery with Yutong. So they will continue to be delivered throughout until the end of the year. We do have budget handed down for 2025-26 and 2026-27 for 30 further battery electric buses. The decision on where those will be procured from has not been made at this point.

Mr Steel: Just to explain the maths: there are 90 that have been purchased with Yutong,

but we also have a lease arrangement with VDI Australia for additional electric buses that make up the 106.

MS CASTLEY: Will they all be in service by June next year? Is that the goal?

Ms Taylor-Dayus: The 90?

MS CASTLEY: The 90.

Ms Taylor-Dayus: All of the 90, the 12 leased and the four Custom Dennings will all be in service by the end of this year.

MS CASTLEY: At the end of this year.

Mr Steel: You mean calendar year?

Ms Taylor-Dayus: Yes.

MS CASTLEY: That is right—calendar 2025. I will ask about the Anti-Slavery Commissioner investigating the reports of slave labour used on the Yutong electric buses. You have previously dismissed the allegations, stating that there is no merit in them. Since then, has Transport Canberra or VDI Australia undertaken any subsequent investigations into the possibility of slave labour being used in the supply of the Yutong E12 buses?

Mr Steel: That was a consideration during the procurement process for future buses. As the former minister responsible for procurement, I had already incorporated a range of things that address modern slavery in the ethical treatment of workers evaluation process, which is part of what would be required to be responded to for any future procurements. But, obviously, we are interested in any findings by the New South Wales Anti-Slavery Commissioner. I do not know whether you want to add anything further in relation to—

Ms Taylor-Dayus: Absolutely, Minister. Vehicle Dealers International, who are the company that we contracted the 12 leased Yutong and also the 90 procured Yutong have actually done two separate declarations in relation to anti-slavery. That was part of both procurements. They have also completed an audit, which has also been provided to Transport Canberra.

MS CASTLEY: In 2018, Transport Canberra created design guides for then new corporate branding, replacing the old Action signage and corporate imagery. I understand that this included applying the new corporate livery to a number of Transport Canberra buses, including the Scania A36 0UA articulated fleet. It seems that these plans have been abandoned, with a number of buses, including the Scania—I can give you the numbers if you want—A and B and the steer-tag fleet, still with the old green-and-white Action livery. Does TCCS have any plans to update the Scania fleet to bring it in line with the current Transport Canberra brand identity?

Mr Steel: We might need to take that on notice, I think.

MS CASTLEY: Thank you.

Mr Steel: The thing is that there are a number of buses that have been marked for retirement. So it would not make sense to update those that are due to be retired in the short term.

MS CASTLEY: Sure. It is probably a while ago, but does anyone know what the image guide cost the government back in 2018?

Mr Steel: I am sure that that was probably a question that has already been asked. But I am happy to take it on notice.

MS CASTLEY: Thank you.

MR BRADDOCK: With BusTech going into administration, what happened with the 13 delayed Scania buses that were under that contract?

Mr Steel: I will hand over to Ms Taylor-Dayus to talk through that. The question was in relation to Scania Australia.

Ms Taylor-Dayus: Sorry; could I just ask you to repeat the question? I am sorry; I missed the question.

MR BRADDOCK: That is absolutely fine. I was asking, with BusTech going into administration, what happened to the 13 Scania buses that were under that contract?

Mr Steel: Firstly, the contract was not with BusTech; it was with Scania Australia. Ms Taylor-Dayus will provide an update there.

Ms Taylor-Dayus: That is absolutely right. We originally contracted with Scania, and within that contract is the vehicle specification. It does not actually specify a sub-supplier, who is or was BusTech. As you allude to, BusTech has been bought out by GoZero, and they have most recently just signed their deed of company arrangement. This now allows us to start negotiating with Scania/GoZero on the remaining 13. We do have 13 of those 26 already in service, and we will start to negotiate on that additional 13.

MR BRADDOCK: What is the impact of the additional 13 not being available as per the original contract?

Ms Taylor-Dayus: We have been very fortunate in receiving the 90 Yutong earlier than their original delivery schedule. So the impact of that has actually allowed us to continue to retire aged vehicles.

MR BRADDOCK: What is the comparative costs of running an electric bus fleet versus an internal combustion engine bus fleet?

Ms Taylor-Dayus: At the moment, with the amount of battery electrics that we have in our fleet, we are very closely monitoring. We are seeing that they are needing less repair and maintenance. It is early days. We need a good period of time to be able to

analyse that data.

Mr Steel: The fuel savings are quantifiable, and they were factored into budget considerations as well.

MR BRADDOCK: Does that mean that in the budget going forward we can expect the operations and maintenance to be diminishing as the bus fleet transitions to electric?

Mr Steel: That is something that I think we will need to work through and monitor what the impact is. But, certainly, that could be factored in should it generate genuine savings.

MR BRADDOCK: Thank you.

THE CHAIR: Just quickly, supplementary to that: you said it is early days but you are seeing some lower maintenance costs. Is that the compared with the fairly aged vehicles that are now out of service or being phased out, or is that in comparison with modern bus fleets?

Ms Taylor-Dayus: It is across the board with the fossil fuels—the compressed natural gas, which are aged and will be out of circulation, intended by the end of the year, but also some of the more modern Euro V+ that we also have in the fleet.

THE CHAIR: Thank you.

MS CLAY: I would love to get an update on a couple of Belconnen transport planning issues. In last year's budget, 2024-25, there was \$150,000 allocated and \$50,000 allocated in the 2025-26 budget for the Belconnen to city transitway feasibility study. But in this year's budget, \$136,000 of that 150,000 from last year was left unspent and it was brought forward, totalling \$186,000 for 2025-26. Have we delayed the funding and the work for the feasibility study? Where is it up to?

Mr Steel: I will hand it over to Ms Clement to provide some information.

Ms Clement: Thank you for the question. The feasibility study is underway. It has not been specifically delayed, other than it has taken us a little bit longer to work through some of the complexities in that corridor. There is obviously a lot of work going on with the North Side Hospital project, consideration of integration with the future light rail, the stadium project and possible future land release. There is a Bruce precinct transport working group, and our consultant and team have been working closely with that group. It has taken a little bit longer than anticipated to coordinate and understand what the complexities are with other transport activities that might happen now or in the future. We have completed an initial planning report and the consultant is now working on the actual feasibility study. We anticipate that to be complete before the end of the year.

MS CLAY: The end of this calendar year?

Ms Clement: Calendar year, yes.

MS CLAY: Will that be public? What is out in the public domain so far?

Ms Clement: Nothing is out in the public domain as yet, because we have not finalised anything. Once it is complete, we will go to government and seek information about whether that is to be released publicly.

MS CLAY: So we have not yet decided if that study that would be complete by the end of this calendar year will be public?

Ms Clement: I think that is a decision for government.

Mr Steel: We have not seen the report yet and so we do not know what is in it. We will make a decision in due course.

MS CLAY: This is exactly why we need to be doing this feasibility study. It is a complicated area, with the hospital, the stadium and light rail stage 3. So this is exactly why we need to be getting on and planning it. I am interested to know how this is working in with light rail stage 3. Where are we up to on the planning with that? I think Infrastructure Canberra has said that the planning for that is still with Transport Canberra. Is that right?

Mr Steel: Certainly, it is taken into account for this feasibility work, to make sure that it is futureproofed for that future extension. But, obviously, the focus for Infrastructure Canberra right now is on stage 2, not on stage 3.

MS CLAY: Who is charge of planning stage 3? I do not want to say agency, but—

Mr Steel: This is an early planning piece of work for the corridor, looking at transport through that area. Obviously, we are focusing on bus transport and making sure there is bus priority. But, as we do that, the intent is to make sure that it does not preclude future light rail from being built in the corridor.

MS CLAY: Which sounds excellent; I am just trying work out how we do that if we are not also mapping out where stage 3 goes? How are we future—

Mr Steel: I think that has already been done in the district strategies for Belconnen and the city.

MS CLAY: The alignment?

Mr Steel: Yes, absolutely. It provides that indicative information in the district strategy, and that was certainly informed by Transport Canberra and City Services feeding into EPSCD's work on those strategies.

MS CLAY: So we have the full alignment for stage 3 already in there?

Mr Steel: I think there are still some options, so some flexibility, but we expect Belconnen Way, Hayden Drive and College Street to be part of that. But there are questions around whether it should go through the UC campus in the future, which is envisaged in their master plan, or remain on College Street directly.

MS CLAY: These sound like fairly critical alignment decisions to make when you are future-proofing both the busway and light rail. I have had queries from Public Transport Canberra and from Belconnen Community Council—so I would say that I am not the only one in Belconnen who is a bit puzzled about where the work is up to. When will we have those alignment issues resolved so that we can integrate these major transport decisions together?

Mr Steel: If I can refer to the work on stage 2B, where there is also work happening on looking at the alignment on that route, noting that there is a preferred government alignment, further detailed design is required to actually then make those decisions and looking at detailed technical studies and those sorts of things. They are things that would happen early in the life of work on a stage 3 project, but we are just not up to that point. There are things that you can do to future-proof the corridor, which is what this feasibility study will be looking at, that do not preclude future decision-making around the alignment.

MS CLAY: When will we have those future stages alignment decisions?

Mr Steel: When a future government makes a decision to undertake them. We have been absolutely clear that, at the moment, the government's priority is on stage 2. But, as we undertake the feasibility study on the Belconnen transitway, we will of course be looking at future-proofing the corridor as we look to upgrade the corridor for bus priority. I think that suggests pretty clearly to the community that, in the short-term, there are going to be buses and that will be the main public transport provided in this area, and we want to make sure that those buses move through the area as efficiently as possible, which is what the purpose of the feasibility study is.

MS CLAY: That is probably all we are going to get, I think, Chair.

MS CARRICK: I am unsure as to the plans for the future in coming out of Belconnen to the city. Is the plan to have a dedicated bus line and a light rail corridor, or will the dedicated bus line be transferred into the light rail corridor?

Mr Steel: They are, again, future design considerations that would need to be considered as part of the design work on stage 3, but we are just not there. Our commitment is to prioritise stage 2 of light rail. So that is what we are doing.

MR RATTENBURY: Just on that, funding of the light rail is split between budget statement E with City and Environment Directorate, and statement G, Infrastructure Canberra. Can you clarify what each directorate is responsible for under the new arrangements?

Mr Steel: CED is responsible for light rail operations, the existing contract where we have light rail stage 1 operational. Infrastructure Canberra can talk to stage 2A of light rail and stage 2B.

MR RATTENBURY: Sure. Thank you.

THE CHAIR: Does that mean Infrastructure Canberra is responsible solely for the

delivery of those two stages which are upcoming, rather than the policy work?

Mr Steel: Yes, that is right. The policy work is the responsibility of CED on transport planning.

THE CHAIR: I think this is where Ms Clay was trying to get to. Is there any sort of timeframe around stage 3 or beyond?

Mr Steel: The focus at the moment is on stage 2.

THE CHAIR: So there is no timeframe for three or beyond?

Mr Steel: We have set out the timeline for stage 2. We have tabled it in the Assembly, and we will continue to update the Assembly on progress against each of the stages, stage 2A and stage 2B. That is the priority of the government.

THE CHAIR: But there is nothing beyond that at this stage?

Mr Steel: We set out a light rail network plan broadly to show future routes. That can inform planning processes that are underway, but the focus is on stage 2.

THE CHAIR: Thank you. I think that gets to the answer.

MS CARRICK: My questions are around mode shift, both buses and light rail, to the south in the future. What characteristics do people in Canberra's south want to attract them to public transport—for example, reliability, frequency, travel times, coverage and that sort of thing? What sort of characteristics are you using to attract people to public transport when you assess the metrics you assess against?

Mr Steel: There is a range, and you will see those in the Light Rail Benefits Realisation Plan. Some of those are transport benefits that you are talking about.

MS CARRICK: Yes, I am talking transport.

Mr Steel: Obviously, the frequency of the service is a key factor. I will invite George Vallance up to talk a little bit about light rail. But what we know is the turn up and go service that light rail offers is a real attraction for people—when they can go to a stop and they do not have to look at a timetable; they just know that a vehicle is going to show up in a few minutes and take them where they want to go.

The certainty of light rail and trust is also a factor. They know where the light rail line is, where it goes to and is coming from. So they can plan their trip out with a bit more certainty than perhaps with a bus route. Often some of them are quite circuitous and windy, especially with the local route buses. Obviously, we have transport planning tools that are available on Transport Canberra's website to be able to assist to make more complicated journeys across the network.

Certainly we have seen in the five-year review of light rail stage 1 that the turn up and go services that it offers were a major attractor to the service. We do regular surveys of the light rail customers to get an understanding of how their behaviour has changed,

and we know that a large number of people who are using light rail stage 1 never used public transport before. So light rail is attracting people in a way that buses never have. So there is an opportunity there with future stages to also have that same attraction to the line.

The infrastructure is high quality as well, and I think that is certainly an impact. Of course, with future stage 2 work building that infrastructure for the first time, those stops never existed on the Rapid bus routes. So we are actually building the opportunity for people to access rapid public transport that simply was not possible before with buses. But I will hand over to George—

MS CARRICK: I will just put some context in before we continue. From the south, the dedicated bus or light rail line is up Yarra Glen and Adelaide Avenue over Commonwealth Avenue Bridge. People can use the parkway or the Monaro Highway, but there is no dedicated bus lanes there. So, with increasing congestion, you do not get reliable trips there—because the bus is potentially stuck in traffic. So, for pretty much all of the south, the dedicated lane for whatever the mode is, is up Adelaide Avenue and Commonwealth Avenue.

In that context—and I am not just talking about people that are on the light rail alignment but also the people in Tuggeranong, in Western Creek and Molonglo—what characteristics do they want to see? Have you done any stated preference surveys to check with them what characteristics they want, to attract them to use public transport? I note that the 2021 Public Transport Survey said that, if asked why people do not use public transport, they said travel times are too long. When asked, “What, if anything, might encourage you to use public transport?” It was shorter travel times and more frequent services—just classic stuff. Have you done surveys with Tuggeranong, Western Creek and Molonglo about what will attract them to mode shift to public transport?

Mr Steel: That is probably a question for Infrastructure Canberra and the work that they are doing on stage 2, if you could hold that question over for them. I do not want whether you want to speak generally about transport work.

MS CARRICK: Who does the policy, though? Who does the network changes? Assumedly, you will have to do some network changes for when you implement?

Mr Steel: Yes. We have been absolutely clear—and I know you have been involved in those discussions, Ms Carrick, but I am happy to remind members of the committee—that there will still be direct connections to the city from Tuggeranong through bus transport, even when light rail stage 2B is operational. But we will, of course, have to integrate buses as well. There are great opportunities to integrate buses with light rail to provide people with access to places in Canberra that they could not previously access on the bus network, at least very easily anyway.

So we will be looking at all of those opportunities, but that is a decision that will be made much closer to the point of operations. But we are saying now that we do expect that there will be buses from the south side that will be going directly through to the city as well as operational services for light rail running from Woden through to the city, and of course, through Gungahlin.

MS CARRICK: Will people from Molonglo, Western Creek, Tuggeranong and Woden and the inner south have a dedicated bus lane into the city for them, for the people that are still using buses?

Mr Steel: That is a question for Infrastructure Canberra on the design of light rail stage 2B. So I encourage you to ask them about that. But we certainly expect that there will still be buses. The R10 service will still be running into the city directly, even after light rail is operation.

The great thing about light rail stage 2B is there will be those interchange points that were not possible before, where people from Western Creek and Molonglo on R7 and R10 might be able to actually jump on at one of the stations to light rail and then access the employment hub within the national triangle, where we have around 40,000 people working. That is not currently very easy to access on a bus, because there is only one stop at the Albert Hall that provides access on the edge of that precinct, when many people are working well over a kilometre away. This is going to open up opportunities for better integration of the network in a way that was not possible before with buses, simply because the infrastructure was not there to allow it.

MS CARRICK: Do you have target travel times that will attract people to public transport? Assumedly, once the travel times blow out to longer times, there is a tipping point where you have reduced patronage. Do you know what the tipping point is for travel times from different areas?

Mr Steel: I think just travel time generally is a consideration in people's decision-making around using public transport vis-a-vis other forms of transport. But it is only one factor; there are a range of other factors that would also come into mind for a person making those travel decisions. But I will hand over to George Vallance to provide some information about some of those considerations that we do ask customers about.

Mx Vallance: I have read and accept the privilege statement. One of the key performance indicator targets under the light rail stage 1 contract is for customer satisfaction. We maintain a 90 per cent overall customer satisfaction rate. The questions that we ask are around ease of use, likelihood to recommend, reliability, cleanliness, safety and security and staff customer service. While the questions may vary, those are the key considerations that we look to. Canberra Metro Operations undertake that survey on our behalf.

MS CARRICK: Would you be able to do some surveys that include the classics, like reliability, frequency, travel times, coverage and those sort of characteristics of public transport?

Mx Vallance: We do have statistics around the availability and also on-time running. For the 12-month period between July 2024 and June 2025, Canberra Metro Operations ran at 99.8 per cent of scheduled light rail services and 98.62 per cent punctuality, which exceeded the contractual requirements of 99.5.

MS CARRICK: That is terrific, but what I am trying to get at is the future public transport network in Canberra's south. How do you know that the network that you are

setting up will attract people to use public transport?

Mr Steel: Mr Smith can jump in on that one.

Mr Smith: I have read and acknowledge the privilege statement. Ms Carrick, going back to the root of your question, which you started about mode shift and monitoring the usage and the needs of the public for public transport, I will go to the mode shift part first, which I think was what you primarily asked initially.

MS CARRICK: From, like, Tuggeranong. I understand the corridor but my point is that everybody uses this corridor.

Mr Smith: Yes. Transport in Canberra is a holistic solution. As you said, there is a number of different modes, there is personal transport where people can utilise their own vehicles and there is obviously active travel, where they can use their feet or bikes et cetera. The government offers solutions for that mode shift through the utilisation of either active travel or cars through the various car parks, including Park and Rides across the city. We also continue to monitor traffic flow on the roads on a regular basis. We listen. It is an iterative process. We do a network review every year looking at patronage and travel time et cetera, but we also take an iterative approach as well. You would have seen a government commitment to increase Rapid.

MS CARRICK: At the moment, with the current network, if you live in, say, Chisholm, you would catch a bus down to Erindale, you would change onto the Pink Rapid to go to Woden, you would change onto the tram to go to the city and, if you went to UC, you would change again. You would change three times to go 20 kilometres. Have you had a look at whether that is attractive to people? What do you need to do to the network to minimise changes and travel times? Are you going to do that before you invest in it, or are you going to wait until it is built?

Mr Steel: Firstly, just in response to the matter of Chisholm's access to public transport, that is not actually factually correct at all. There is a direct bus, as I understand, the peak bus that goes up the Monaro Highway, that Chisholm residents can access straight to the city. We are not suggesting that that should be changed.

MS CARRICK: The point is—

Mr Steel: There is a government election commitment around introducing a new Rapid service that would service Tuggeranong. We want to have that conversation with the community, including about a connection to Chisholm, to provide another point of access for Rapid transport. Rapids have been a huge success in Canberra because of their frequency. We are expanding the bus network of Rapids in addition to extending light rail.

Light rail addresses the question that you were asking around the interchange of services. We want to provide continuity by providing a north-south spine where people can travel from Gungahlin to the Parliamentary Triangle or from Dickson to Deakin, or anything between, without necessarily having to transition onto a bus to make the last part of the trip. That will be a major benefit of the extension of light rail and will provide stops that did not exist before. If you do not have a stop near you to access Rapid

transport, whether it is a bus or light rail, you cannot access public transport. You might be able to access a local route, but the local routes are coverage routes. They are circuitous and they often do not come as frequently as the Rapid buses. That is what light rail offers with the extension. Of course, the new Rapids will also try to address that issue.

Frequency is key, so that you do not have to plan your trip. You can just go to a bus stop and you will know that it will come within 15 minutes or better. Light rail offers that but with far more frequency, which will be every five minutes during the morning peak, as it is currently, and then every 15 minutes at other times during the non-peak period. This will provide a real benefit to the city.

MS CARRICK: Minister, are you telling me that many areas across Canberra's south will still be able to use their bus service to get into the city, but they will not have a dedicated bus lane and they will be at the mercy of the increasingly congested traffic?

Mr Steel: Firstly, one of the benefits of light rail is that it will not be at the mercy of traffic, like buses are.

MS CARRICK: Yes or no? You just said that the buses will still go into the city without a bus lane.

Mr Steel: Because a light rail system largely runs on the median strip. Adelaide Avenue and Yarra Glen Drive are built for light rail. They provide very generous space for median running of light rail, which does not interact with the traffic—

MS CARRICK: Why can't we have both, a bus lane and light rail?

Mr Steel: which is a significant benefit compared to buses. I have not said that we are removing bus lanes. I encourage you to talk to Infrastructure Canberra in relation to the design of light rail.

MS CARRICK: I do not see a design for one over Commonwealth Avenue Bridge. How do you get a bus lane into town?

Mr Steel: I have previously said that there will still be Rapid buses running from the south side to civic, even once—

MS CARRICK: In the congested traffic.

Mr Steel: That is what is going to happen in Canberra. There will be more congestion as the city grows. The light rail stage 2B draft EIS, which we can talk about in the other session, has had some very good traffic modelling done, showing increased congestion over time, which generates the benefits of light rail—

MS CARRICK: You need to cater for everybody.

Mr Steel: by making sure that we can actually manage that congestion so that we can deliver those services to the south side and not just have it benefiting the north. I appreciate that you oppose light rail stage 2B.

MS CARRICK: No; I do not oppose it. I never said that. All I am saying is—

Mr Steel: Do you support it, then?

MS CARRICK: What I support is good public transport, Chris, and I am not seeing the options for Tuggeranong, Molonglo and Weston Creek—good public transport they are getting. That is all—

Mr Steel: Why won't you say that you support light rail stage 2B?

MS CARRICK: I support good public transport and—

THE CHAIR: Minister, this is not your place to ask questions. Ms Carrick, we are going to move on to others who have questions.

MS CARRICK: You are not telling me what the services are so I can be informed about whether it suits everyone.

Mr Steel: We have provided over a thousand pages, and that could be discussed in the other session.

THE CHAIR: Minister, perhaps we can draw a line under this. Are there any other supplementaries on this line? We might move to Ms Tough.

MS TOUGH: Thank you, Chair. Minister, you mentioned the importance of the frequency of buses. How is the government increasing the frequency of services across suburbs on weekends and weekdays—particularly on weekends—to help people, and young people in particular, to get to work in town centres from our suburbs?

Mr Steel: Thank you. We made a number of election commitments that we have started to implement. Earlier this year, a new timetable was rolled out. We are making staged improvements to frequency, particularly on some of the Rapid routes where there were large numbers of people using services. We have tried to increase capacity by adding new services on the R10 in particular and the R2, and we have commitments around improving the frequency of local routes as well. We have had a very big focus on reliability and making sure that weekend services are reliable. We are looking at stepping up, over time, the frequency of weekend services. We have done that on Saturdays and now we are taking steps on Sundays. I will hand over to Mr McGlinn to provide some detail about when that will occur.

Mr McGlinn: I acknowledge and have read the privilege statement. Thanks for the question. With regard to the Sunday uplift, which was in the budget considerations, I am happy to say that, from Sunday, 31 August, we will be implementing an increase in morning services up to approximately 2 pm. Every suburban service will have an hourly service.

MS TOUGH: Wonderful. Thank you. You mentioned increasing the frequency of some Rapids and some potential new Rapid services. Is any work progressing on those new Rapid services, including my favourite one starting in Lanyon?

Mr Steel: Yes. There is work happening to plan for the future rollout of new Rapid services. That will align very much with the expected acceptance of new electric buses in the fleet so that we can grow the capacity of the fleet to deliver those extra services. The real constraint on the fleet is always at peak times, when you see most of the fleet in use. If we are going to add more services, we will need to grow the fleet to manage that. The weekends are not so much a problem because there are fewer services overall. The fleet does not necessarily need to grow to deliver extra services on the weekend. I will hand over to Mr McGlinn for some early thinking about the Rapid routes.

Mr McGlinn: Thanks, Minister. For example, there is the layover at Lanyon. Can it cope with all the buses going there? That is the start of it. It is about the amount of fleet that we have, and then there is the travel time. As long as the travel time stays consistent, we can plan, but, if there is variance in travel time and the trips become longer, you will not be able to meet the peak. It is about the reliability of service to the residents of southern Tuggeranong, down there at Lanyon. We have certainly been looking at quite some detail so far about how to bring the service out of Lanyon and which way it would go on its way to the city precinct, and where taxpayers get best value from people onboard—how attractive it can be. Park and ride facilities complement those things. Of course, that also provides a bit of flexibility in the first mile and last mile. Somebody could drop their children at school and then drive over, leave their car, hop on a bus and have a painless trip into the city, and then reverse engineer it. The good thing about an all-day Rapid service is that, if you need to leave at any time during the day, you have the service. Sometimes morning peak services that are specialised only for the morning do not fully utilise park and rides. That gives a bit of flexibility.

Mr Steel: The intent for the future is to replace those peak bus services with Rapids. We have not determined the exact route they would take—whether we would utilise the replacement of the peak buses on the Tuggeranong Parkway or would replace the peak bus on the Monaro Highway. As Mr McGlinn alluded to, those peak bus services are generally well-utilised, but they obviously only run at the peak time. That means that, if you are a commuter and you happen to miss the times that those services run, you do not have the redundancy of another service that might show up 15 minutes or half an hour later. The benefit of the Rapid bus route is that it will run consistently throughout the day. It can then be relied on by commuters who want to use it, and, of course, by those who want to use the bus for non-work-related purposes during the day—those who may use it for recreation and so forth.

MS CARRICK: How will you guarantee the travel times without a dedicated bus lane?

THE CHAIR: Ms Carrick, can we make sure Ms Tough has her questions first?

MS TOUGH: Thank you. I was going to make a comment about the usefulness for families as well. You mentioned the pick-up and drop-off of kids. Often kids get sick during the day. I know that a lot of families do not use a bus when they could, because, if they get a phone call, there is no Rapid to get them back.

Mr Steel: Yes. I think that will be a consideration. We also have to think through the interaction of a new Rapid with the rest of the network, so that it is well integrated if there are people, including families, who may wish to interchange to one of the local

route services. We will have to look at the patronage data—who is using the existing bus services—to inform that. A bit of community consultation will also be needed to understand travel needs and which route would be the best investment with funding, noting that, as we are replacing an existing service, there are some offsets to existing investments made in those services. But an additional investment will be required to deliver the additional Rapids.

MS TOUGH: Thank you.

MR BRADDOCK: Has there been any consideration of the minimum level of service that is desirable? There is your example of a retail worker who catches a bus on a Sunday morning, but their shift might continue until 4 pm in the afternoon. What is a minimum viable level of service for them?

Mr Smith: There has been. Obviously, in a utopian world, we would like to run regular Rapid and frequent bus services at all times. We look at trends of when people travel. It is hard, particularly for casual workers who have changing shifts and stuff like that. My son works casually and he never has the same start and finish time. But we can see the trends. We know that in the mornings we see more people traveling in a condensed timeframe, whereas in the afternoon we see people returning home over a more spread-out time. That can be driven by a number of factors: the length of work days and whether they live and play near where they work for an extended period of time.

Going to your question, Mr Braddock, yes, we do look at the services that we provide and, as much as possible, model them. As the minister said, that will be part of the planning that we will do for Rapids, and we will continue to do that to ensure that we have as many bus services as possible available for people who return on journeys at any given time.

Mr Steel: Regarding weekends in particular, we have announced a step-up on Sundays that will be introduced, but we are looking at going beyond that. That is the first initial step-up for Sundays, but we have to make sure it is reliable, because the last thing that we want to do is schedule services that do not show up. That breaks the trust of the public in the system. It is critical that we deliver the services that we say we will deliver. There have been issues on weekends, in making sure that there are enough drivers volunteering for shifts to deliver those services. That is why we are doing this in a conservative way. We are stepping up with the services that we think we can deliver, and we will look at making further changes in the future to improve services.

Over recent years, we have also looked at the span of services. We have relatively good patronage data showing when people are using the services that we offer. I appreciate that it does not always show what people's use of services could be—services that we do not currently offer. That is a bit harder to understand. But there are very few people using the late bus services. At some point, a decision has to be made around the viability of those services from a financial point of view. We need to strike the right balance and provide a good span of hours to cover as many people as we can. That is what we are ultimately trying to achieve. We are trying to provide a bus service for as many people as possible. There is also a financial and budget consideration as part of that, because the investment that might go into a later service could be an investment into a peak bus service, providing extra capacity that might attract even more people to use public

transport. So trade-offs need to be considered as we manage the network. Tweaks are made every year to the bus network timetable to adjust services to try to best meet the needs of communities—school communities included.

MR BRADDOCK: I appreciate the budget trade-offs you are talking about. My question was more about a minimum service level that we should have in place at certain hours of the day. Has the government set that in any way?

Mr Steel: The key election commitment that we made around 20-minute services is one. We have particularly looked at frequency as a key standard that we want to set through the network. The Rapids established that with the 15-minute or better services. We know that frequency is a key driver of public transport patronage, and therefore we have really focused on that standard.

MR BRADDOCK: But not to the same extent later into the evenings or during the weekends. Would that be a fair summary?

Mr Steel: That is the piece of work that we are working on, but we are stepping up. Reliability is the other key standard that I would also say we have set. I monitor reliability on a weekly basis with Transport Canberra, because I have put such a value on it. That has to absolutely be the priority, and then there is frequency.

MR BRADDOCK: When will the government deliver its commitment to 20-minute bus frequency and extend that across the board?

Mr Steel: We have already started delivering that in the timetable update that we had earlier in the year, and we will continue to do that through further updates as we get extra buses.

MR BRADDOCK: But when will Canberrans actually experience that fully across the timetable?

Mr Steel: During the term. That is the commitment.

MR BRADDOCK: Whilst there is a MyWay+ inquiry, I want to talk about some of the flow-ons from that. Firstly, in terms of interchange displays, what is the government's plan to ensure that customers at major interchanges and so forth have access to that information?

Mr Steel: I will hand over to Mr White to talk about customer information displays.

Mr White: I have read and acknowledge the privilege statement. Mr Braddock, I believe we answered this during the inquiry as well. The interchange passenger information display boards were not part of the scope of the MyWay+ program.

MR BRADDOCK: My question was: what is the government's plan to provide the information, Mr White?

Mr White: I will throw to Mr Smith.

Mr Smith: Thank you, Mr Braddock. Transport Canberra are aware that the current passenger information displays at the interchanges are currently inoperable. We provide call centre functions so that people can make a call, if they would like to, to check on the running of the network. We have considered how we are going to replace those passenger information displays. That is a process that we are working through at the moment. There are a couple of options available to government in relation to that. We could engage directly with NEC, who provide the MyWay+ system, and consider utilising them to provide replacement information displays. We are also considering whether there is better value for money by going outside of that. Over the forthcoming period, we will work through that as a business unit and will consider the best approach. We will then bring some suggestions to government in relation to that. If we are able to improve anything quickly, we will also look at that.

MR BRADDOCK: My next question is on bike cages in the network and transitioning those away from the old MyWay card. What is the plan?

Mr White: I can take that, Mr Braddock. We will be looking at having those implemented by the end of the calendar year. At this stage, we are working with a local locksmith to transition those over to be accessible via the MyWay+ cards.

MR BRADDOCK: By the end of the calendar year?

Mr White: By the end of this year.

MR BRADDOCK: Thank you. My other question is: what was the total overspend on the MyWay+ project, above the original budget?

Mr White: Mr Braddock, the program has not been completed yet.

MR BRADDOCK: What is the forecast expenditure known to the government at this point in time?

Mr White: Regarding the total funding envelope, again noting that it is made up of both capital and operating expenditure, there is currently no forecast for any increase in funds.

Mr Steel: We note previous information we provided to the committee around the decision that I made to slightly delay the launch date of MyWay+, which resulted in some revenue impacts for Transport Canberra during the period when no fares were being collected.

MR BRADDOCK: Thank you.

MR RATTENBURY: Mr White, I was interested in your observation that the interchange display boards were not part of the NEC contract. Does that mean the government knew, before this started, that they would not work and there was no plan for them to work?

Mr Steel: MyWay+ will provide the data feeds that will end up being used to plug into those devices. That piece of work had to be undertaken first and has been, as part of the

contract with NEC. What we are talking about now is an integration piece. That is what is being considered by government.

MR RATTENBURY: Why was that not provisioned in the contract?

Mr Smith: Will we need to take that on notice?

Mr White: Yes.

MR RATTENBURY: It is a basic service that runs in the interchange.

Mr White: We can take that question on notice.

Mr Steel: We can invite Ms Taylor-Dayus to the table.

Ms Taylor-Dayus: I was the original chair on the procurement for the next generation ticketing solution, which we now know as MyWay+. The decision to not include replacement of the passenger information displays was a strategic one, in that we were waiting to understand the technology that would be developed through MyWay+ and then make sure that the replacement screens would actually be compatible. Transport Canberra always moved ahead knowing that we would replace them, but we were waiting to understand the technology.

MR RATTENBURY: I guess it was known that there would be a gap in usage?

Ms Taylor-Dayus: It was known.

MR RATTENBURY: Thank you.

MS CASTLEY: Could I ask a supplementary. It might be on the topic. I am happy to take your advice. It is about the ticketing machines at the Woden and Civic interchanges that were damaged by rain.

Mr White: I am happy to take that question. We have installed 24 out of 26 ticket vending machines across the network. The two machines you refer to—one in the city interchange and one at the Woden interchange—were installed. There is a two-step process in installation and then commissioning. All 26 were installed across the network. When it came to the commissioning of those two, it was noted that there was water ingress. Water had found its way inside the machines. As we all know, water and electronics do not mix too well. At that stage, NEC alerted us to that concern and worked over a few weeks to try to remediate it themselves, thinking that it might have been an installation fault. Then they noted that there was actually some deformation in the frame of the TVM. They then alerted their supplier.

Their supplier is located in Singapore. For them to come over and do some inspection works required them to have a working visa. They had to apply to get the visa, which took a few weeks to get. They then arrived here, inspected them and noted that they would replace them immediately out of their factory. They have since placed that order. I believe that four additional ticket vending machines are arriving at NEC's workshop in Fyshwick this week. Installation and commissioning are proposed to occur shortly

thereafter.

MS CASTLEY: It might be prudent to have a couple of spares.

Mr White: Yes.

MS CASTLEY: So there was no water damage? There is nothing we need to do to make sure—

Mr White: No. Water was found in there. It was not water damage. It is about reducing the risk of water and electronics mixing.

MS CASTLEY: We are sure that the new machines have that sorted out?

Mr White: We believe so—yes.

MS CASTLEY: Are some validators on buses still out of order? Do I have the right information?

Mr White: Our validator rates at the moment are still above the 98.5 per cent mark, which is what we were seeking as a metric to show that they are both available and transacting. We take those measures on a daily basis and continue to monitor them. They are improving. They have improved over time since going live. Once we went live, we encountered a number of issues with them, but we have addressed each of those issues. We have successfully gone through the last two software upgrades of those. One of those upgrades, which was two upgrades ago, related to the acceptance of Visa or Mastercard credit cards or debit cards. There was a deny list defect, and that was addressed. They are working more efficiently than they ever have.

MS CASTLEY: Do we have an idea of how much revenue we lost due to the validators not working over the rollout period?

Mr White: I think the minister responded earlier, saying there was a period when we were unable to collect fares during the installation period. That has been defined. I believe it was also answered in a question on notice during the inquiry. There is also a measure that we have looked at regarding validator availability—thus, the introduction of that metric. It was not contracted for; it was not anticipated. We have introduced it. Having success rates above the 98.5 per cent benchmark is significantly higher than under the MyWay system. The old system had similar levels of collection failure.

Mr Steel: The other important point on revenue is that we are still in an education period with MyWay+. We anticipate that we will come out of that over a period of time. We will move to a more compliance focus. A budget initiative has been announced around the recruitment of transport enforcement officers. They will play an educational role but will also undertake fare protection activities. We expect that, over time, we will see improvements to revenue as a result of that. During the initial rollout of MyWay+, we were educating the community about travel and use of the new MyWay+ system for seniors. That involved enabling them to use their Seniors Card as a flashcard for free travel, but, of course, that is not recorded as a trip on the system. Depending on the time

of day, there may also be lost revenue, depending on the person's age.

There are some impacts on revenue with the rollout of the new ticketing system, but we will start to see that being ameliorated this financial year as we undertake more compliance activity and as people get used to using the system. As well, there is the variety of payment options that are available with MyWay+ that were not available before.

MR BRADDOCK: I want to ask some questions about specific dollar figures. Firstly, what has been the budget overspend to date with MyWay+?

Mr Steel: I think that was answered by Mr White.

MR BRADDOCK: Was there a dollar figure in that answer?

Mr White: We have not exceeded the funding envelope, which, as I say, includes both capital and operating costs. At the conclusion of the project, we will do the reconciling of those two items.

MR BRADDOCK: Could I please have the specific dollar spend to date?

Mr White: We can certainly take that question on notice, Mr Braddock.

Mr Smith: We can certainly bring a spent-to-date figure through a question on notice. One of the important things as we work through the contractual arrangements with NEC is that the territory reserves rights to mitigate some payments. Some of those decisions are yet to be made. That will ultimately change final figures as we move through various milestones within the contract. We will put that clarification around our answer.

MR BRADDOCK: Is there a revenue under-collect, from what we would have already taken? Do we know what that number is?

Mr Steel: It is difficult to quantify.

MR BRADDOCK: An estimate?

Mr Steel: In the budget papers, we have already published what the revenue collected has been in the last financial year for Transport Canberra. You should be able to see the changes compared to previous financial years in that regard. A number of policy decisions were made around revenue, all occurring at the same time. We have Fare Free Fridays. That has impacted revenue, particularly on Fridays. We obviously forecasted a certain amount of revenue loss from undertaking that initiative, but the actual amount may be different to what was forecast. It is difficult to provide a disaggregation of the MyWay+ impact and behavioural changes that occur in public transport. We have provided an answer on notice a number of times in relation to this matter. We have answered this question before, but I am happy to take it on notice and answer it again, if you would like.

MR BRADDOCK: My question is: why, in the middle of budget estimates, are you not able to answer some simple financial questions about a project of great political

interest?

Mr Steel: It is not a simple question. The information about the amount of revenue collected last financial year is in the budget papers.

MR BRADDOCK: From my interpretation of the budget papers, it looks like there was \$12 million less in revenue. Would that be the correct number, based on my dodgy mathematics?

Mr Steel: Mr Morgan might want to come to the table and add some detail. The disaggregation is challenging because of multiple factors.

Mr Morgan: I have read and acknowledge the privilege statement. The revenue that we put in the budget papers is about \$14 million lower than the 2024-25 estimated outcome. A good portion of that was lower fare revenue. The budget was possibly forecasting a higher level of revenue than we can collect. MyWay+ is around \$4 million lower because of the roughly two months when we collected no revenue after implementation.

Mr Steel: As Mr Morgan mentioned, we are currently looking at the budgeting of revenue. We will do that in the context of what is occurring this financial year with revenue protection activities for the first time in a long time on Transport Canberra's bus fleet. I think we will be able to understand the new baseline of revenue that we can expect, and that will then inform future budget decisions around expected revenue collection for Transport Canberra.

MR BRADDOCK: Thank you.

THE CHAIR: I will follow up on some of the detail on that line of questioning. Minister, have you received any briefings on the degree of revenue under-collect?

Mr Steel: I will take on notice to check. I have been briefed as part of answers to questions on notice, where we have answered that question.

THE CHAIR: So you have received briefings on disaggregation?

Mr Steel: No. I have been provided information about what Transport Canberra could provide in answer to that question, which is as I have detailed.

THE CHAIR: Has Transport Canberra undertaken any modelling that would provide an indicative disaggregation?

Mr Smith: With regard to whether we have undertaken specific modelling, no. At this point, we are monitoring the ability of users to tap on and tap off, where we possibly can. Obviously, with fare evasion and stuff like that, you cannot monitor that, particularly if somebody just jumps on and jumps off. We are looking at the potential failure rate of MyWay+ to capture a fare. We will then look at trends around that. That will then feed into where we will focus revenue protection et cetera. We will focus on maintenance within the MyWay system as well. Is the root of your question: are we specifically monitoring the gap in the budget between the forecasted revenue and where

we are up to? Could I clarify whether that is the question.

THE CHAIR: Yes, basically. What I am trying to find out is, to an extent, whether the minister has been trying to track how much revenue is being lost here—and then whether Transport Canberra has been proactively trying to work out how much revenue is being lost. Then the next question to come is: there was a comment that budget forecasts are simply higher than you can actually collect—

Mr Steel: Yes. It had been based on, as I understand it, pre-COVID patronage levels. Patronage had fallen during COVID and, like other cities, we are still transitioning back to pre-COVID levels but we are not quite there. We are looking at: “Well, do we need to re-baseline this? Is the patronage level that we should expect in the system, in terms of revenue, currently set too high in the budget? And do we need to look at whether we need to adjust that in future budgets?” That is something that we will consider this financial year.

We want to forecast revenue as accurately as we can. And of course, we have been in this period of uncertainty; because of the transition to the new MyWay+ system; and the educational period where we have not been enforcing fare compliance and where we have given people the opportunity to use the system, in some cases, without tapping on and tapping off—using a MyWay+ card or other option. That has resulted, in the short-term, in a reduction in revenue. The extent of it is not absolutely clear, but we know that there is some impact there. So we are trying to get a handle now, as we move into this next phase, on exactly what the impact on revenue will be going forward, and whether we need to adjust revenue forecasts and budgets.

THE CHAIR: Okay, so it sounds like you are trying to work out what the extent of that misalignment in the projections is—but at the moment it is overestimating revenue.

Mr Steel: That is one element of the revenue impact. Then, for the last financial year, it was the actual switchover to the system. That will not be present this financial year, and so we think the impact will be less in that regard. And of course as people start to get familiar with MyWay+, we think that there will be less impact there, and as we move from education to compliance this financial year. The impact of the Fare Free Fridays decision still applies until, I believe, November, after which we will undertake an evaluation of the Fare Free Fridays program and decide what the future is. That may also provide some insight into the potential impact on revenue from that decision as well, which has been a factor in the revenue shortfall.

THE CHAIR: My final supplementary here is: have you considered all of the impact of not requiring people to tap on/tap off, essentially through this whole implementation stage? There has essentially been a training period where people are taught to not pay for public transport—to not tap on/tap off—and that could potentially have quite a lasting impact because, behaviourally, as you were just talking about, you have essentially taught them that they do not have to.

Mr Steel: No, not at all. The communications have been really clear that we want people to transition to MyWay+. Whilst we have provided a little bit more leeway for particular groups in the community—like seniors, for example, by allowing them to use the flashcard to access public transport—we have been really clear that we do not want

them to be left behind in the transition; that they do need to make the transition. And tens of thousands of seniors have signed up for MyWay+, which is great to see. We have allowed a little bit more time just to go to the extra lengths of a final round of communications which are currently in train, ahead of a harder to switchover requiring them to use the MyWay+ system.

So, we have gone out. We have consulted with COTA. We are actually utilising some of their databases to actually send out hard copy letters to those people who are not on their email list, to make sure we have got information in front of them to be able to make that final transition.

THE CHAIR: It sounds like you are talking in that general formal communication space. But when you are essentially allowing people to jump on and jump off for free, there is a behavioural training effect that will go on. And people are very clearly, from all of the anecdotal evidence I hear, used to getting free public transport.

Mr Steel: Well, they are on Fridays. That is for sure. That is guaranteed by the program.

THE CHAIR: Or any day of the week.

Mr Steel: Certainly, there will always be a level of fare evasion with any public transport system. We do think that that level is slightly higher than it would otherwise be. There is something there, and that is why in the budget we have actually invested in a new team or teams of transit enforcement officers that will be a visible presence on the bus network and at interchanges. They will, amongst other activities, support people to use public transport, but also undertake some fare compliance activity. That will be at a level higher than what we have previously had on Transport Canberra.

They will be there supporting people to use MyWay+ to tap on and off, and we think that will make a real difference. Certainly, it is something that other jurisdictions are currently investing in as well. We are learning a lot from the methodology that those transit operators have put in place, and we think that will make a big difference.

It is a fairness issue, I acknowledge that. I think when people are paying to use public transport and they see others jump on a bus who are not paying, that raises issues around fairness. It is important that people are making a contribution to the services that they use. We have a concession system that also makes sure that it is fair for those particularly on lower incomes. But there will be a period of education that we are in at the moment, but then we will move into more of a compliance footing.

THE CHAIR: Okay, we might move on from there. Ms Clay, I think we are up to you.

MS CLAY: Thank you, Chair, and noting that we are a long way through hearings, I will try to be brief and we will ask for concise answers if we can. My colleague Laura Nuttall was making some commentary about the Athllon Drive duplication this morning, and I am just trying to get straight the funding that we have for the Athllon Drive duplication. On page 271, we have got two items totalling \$2.356 million and \$82.224 million for the Better and Safer Roads duplication. Then on page 272, we have got another \$2.743 million. What is the total cost of the Athllon Drive duplication?

Mr Steel: That is a matter that I think is in Minister Cheyne's portfolio as minister for city services—

MS CLAY: So I would need to put budget figures to Minister Cheyne?

Mr Steel: Yes.

MS CLAY: Okay. It is looking like it is somewhere between \$80 and \$100 million. Can I talk to you about the transport case for it?

Mr Steel: That sounds right. The project is her responsibility but put your question and we will see whether we can answer it.

MS CLAY: Noting that it is \$80 to \$100 million worth of duplication and we have got five traffic lights in 2.4 kilometres, and we have got a dropping population in Tuggeranong based on government figures, can you tell me how this project is likely to give us a good outcome?

Mr Steel: Yes, that is a question about the project.

MS CLAY: Right, so as transport policy, minister, you lead for roads—

Mr Steel: Transport Canberra Minister, and transport planning. But this is a project that sits with Minister Cheyne. I do not make the habit of speaking outside of my portfolio area.

MS CLAY: Minister Cheyne, okay. That is fine. I might then test, and you might tell me that the next two ones are Minister Cheyne's portfolio too: We are also trying to work out where Parkes Way early works is up to, and where William Hovell Drive is up to, and the funding. Because it is roads, is that Minister Cheyne?

Mr Steel: Yes, absolutely. In terms of the population stuff, with my Treasurer's hat on—again, not for this forum—we had a discussion in the previous hearing about the updated population work that Treasury is currently undertaking, which is based on region. I do not think that the figures showing a decline in population in Tuggeranong will continue.

MS CLAY: Are you able to tell me what those updated population figures are?

Mr Steel: It has not been released yet. There is further work that is happening on it. It has not been finalised yet.

MS CLAY: When will that be released?

Mr Steel: In the coming months; it is not too far away, but it will be a couple of months.

MS CLAY: Right; and you have obviously seen this. That population increase—is that a significant population increase?

Mr Steel: I have not seen it. I have not seen the report.

MS CLAY: But somebody has told you that it is coming and that the population is increasing—

Mr Steel: That there are changes from the previous population data, and that is because of a change in methodology but also reflecting the district strategies and some of the planning work that is occurring to support more housing within existing suburbs.

MS CLAY: Okay; but that will be figures released sometime in the next few months?

Mr Steel: Yes.

MS CLAY: But you cannot tell us what those figures will be.

Mr Steel: No, because they have not yet been determined.

THE CHAIR: Mr Braddock?

MR BRADDOCK: Can I also confirm whether the federal government's Black Spots Program, Roads to Recovery and Major Projects Business Case Fund interactions with the ACT government are also in Ms Cheyne's portfolio?

Mr Steel: Yes. She is minister for roads and road safety.

MR BRADDOCK: Thank you.

THE CHAIR: Ms Castley.

MS CASTLEY: Thank you, Chair. I would like to talk about bus driver safety. Obviously, we all know about the strike that occurred last year. They were talking about 40 assaults taking place each month on bus drivers. I am wondering if anyone has updated figures since November till now, month on month, for how the assaults are tracking for our drivers?

Mr Steel: Hopefully, we have got the data on hand, otherwise we can take it on notice. My understanding is that it has come down from the levels that we saw from last year, but we will provide some more certainty with the data.

MS CASTLEY: And obviously the data is going to capture just the reported incidents—

Mr Steel: We can do month by month.

MS CASTLEY: Thank you. I am wondering: obviously, we cannot report on unreported incidents, but, anecdotally, how are our bus drivers feeling at the moment?

Mr Steel: I will bring up Mr McGlinn to talk to that.

Mr McGlinn: Sorry; can you please repeat the question?

MS CASTLEY: Obviously, we cannot get data on unreported incidents, but I am wondering if we have heard anecdotally that things are going on that are not getting reported and how our bus drivers are feeling?

Mr McGlinn: Thank you for your question. Sadly, there would be a component that is not reported, because everybody is a different person in themselves, so for some drivers it is just water off a duck's back; if somebody comes in and says something to them, they say, "No worries, take a seat," or "No, you are not travelling with us." Whereas other drivers are very vigilant in their reporting, which is really good for us, because the network enforcement officers that the minister was referring to before, with that data we are able to extrapolate from our drivers, will be able to identify regions, routes, certain times, et cetera, where we can focus on to go and address that antisocial behaviour.

MS CASTLEY: When there is an assault, does Transport Canberra recommend that the bus drivers call the police? What is the process?

Mr McGlinn: The process is that a driver will make contact with our communication centre, either with a call or hitting the duress button. The duress button will show the comms centre operator exactly where that bus is currently operating, or where it is on the road, and it will also give them 20 seconds of live audio from the vehicle so they can determine what is actually happening. They will put a call through to the AFP if it is required, or ACT Policing, and also dispatch our transport officers that are based at each interchange, in the vans that you may have seen around, to attend straight away.

MS CASTLEY: Right. After the strike the government came out and talked about some promises regarding improvements and safety mechanisms for bus drivers—the cabin protection screens. Does the government intend to upgrade the screens across all buses, or just particular models or just newer buses? What is the government's plan?

Mr McGlinn: In consultation with our workforce, what we have been able to come up with is that the electric buses, the Yutongs in particular, are fitted with a larger screen. We have had one of those now designed, and we are retrofitting those. We have ordered them, and we are starting a process of now fitting them into the vehicles.

Mr Steel: The question was not quite correct. It was not after the strike. We committed as a government, at the election, to introduce this new team of enforcement officers. We were the only party that did that, and we also introduced a legislative reform process to look at the powers available for these new officers to utilise to manage and deter this antisocial behaviour on buses. That was based on consultation with the bus driver workforce, and we are now implementing that. But we did hear some other things, of course, from the workforce, and one of them was around screens. Like other cities around Australia that have also been recently introducing screens, it is something that we hoped we would never have to do, but I think it is necessary to support the safety of drivers by providing a physical barrier. As I understand it, about 18 of these screens are being installed, on average, a week, and they will be installed right through to the end of the year so that they cover the entire fleet.

MS CASTLEY: How much of the \$2.9 million goes to the network officers and transit enforcement officers and the screens? Can you break down those costs for me, or is it

separate money?

Mr Steel: Ms Taylor-Dayus can talk to that, thanks. We are also undertaking training as well, which is one of the four elements of our bus safety plan.

MS CASTLEY: Safety training for bus drivers?

Mr Steel: Yes.

Ms Taylor-Dayus: Just to confirm expenditure in relation to the driver protection screens—

MS CASTLEY: The \$2.9 million was for improving safety on public transport, so is that covering the screens as well as the network officers and the transit enforcement officers? Does the \$2.9 million cover all of that?

Ms Taylor-Dayus: There is a small amount for the screens. We have got two contracts in place which were signed in early July. The first contract was for the screens themselves; that is approximately \$33,000. And then there is a further contract for installation, which is sitting at \$52,500. They are the components that are going towards the occupational violence initiative of segmental screens.

MS CASTLEY: Right; and is the rest of the \$2.9 million for the network officers and transport enforcement officers?

Ms Taylor-Dayus: And de-escalation training as well.

MS CASTLEY: And de-escalation training; okay. Can you explain the difference between a network officer and a transit enforcement officer? Are they different roles?

Mr Smith: Yes, I will take that one. In regard to transit enforcement officer versus the bus network officer, it was envisaged that there would be a variance in the roles: that transport enforcement officers would have extended powers in relation to interactions with customers, whereas the bus network officers were more in regard to fare compliance. We are taking a look at that now in regard to, probably, looking to transition them into very similar roles so that we have more protection for the drivers in relation to the transport enforcement officers. That is an ongoing conversation that Transport Canberra has been having with the workers' union associates—the Transport Workers' Union—where they would like to see some more protection for the drivers. What we can see is that, given the number of incidents we have across the network, those transport enforcement officers certainly will not be constantly working with passengers to de-escalate, so there is an opportunity for them to be used in a dual purpose role around fare evasion and fare compliance education, as well as in that protection measure towards the drivers and in de-escalation.

MS CASTLEY: Has the government already started recruiting for these new roles?

Mr Steel: The engagement with the workforce is the first step before we go out for recruitment. We wanted to make sure that it was going to be supported by the workforce, so that was the first step, and then the recruitment will follow. I know that

the workforce, having spoken to them myself, wants to see these new roles stood up as soon as possible, so that is what Transport Canberra is working to.

MS CASTLEY: Is it right that it is only being funded as a trial for the first 12 months?

Mr Steel: That is correct.

MS CASTLEY: You will not like to answer questions about further budgets, but if we know that our team needs this, is it something that you will consider going ahead with?

Mr Steel: Yes, we will consider it after it has been evaluated. It is obviously a new role that is been recruited to, and we want to make sure it is working effectively. It may be that, as part of that consideration, we look at whether the structure of those new teams is working as effectively as it could be.

MS CASTLEY: Sure, and obviously you said that there is data around where some trouble spots are. Is that how you will direct the staff to be on those specific routes at those specific times?

Mr McGlinn: Indeed, and I think what we all need to know is that these people will actually be travelling on the services. If we have some problems, for example in Kippax—and nothing against Kippax—and if Kippax turns out to be a bit of a troublesome spot, we can send them out there, and then they can catch buses from there around the network.

MS CASTLEY: Thank you.

THE CHAIR: Mr Rattenbury?

MR RATTENBURY: Exactly what powers will the officers have?

Mr Steel: There is a range of powers that already exist under legislation, and as part of the review that is underway that we committed to at the election, we are looking at a further suite of enhancements to that. There has been some legislative reform in other jurisdictions around this at the moment, or that is currently being considered, that we are also thinking about.

We think that there will be potentially two tranches of reforms to come forward to the Assembly for consideration around the powers, but there are existing powers that the new officers can utilise that are already in legislation. There are also the powers that we have been looking at that exist for the customer service officers on the light rail system, so we are looking at whether those need to be improved for the bus services in particular.

MR RATTENBURY: Sorry, it has just escaped my memory as to what powers already exist in legislation. What sorts of powers—to remove people from the service, to fine them?

Mr Smith: Across the networks, at the moment—the light rail network, for example—there are powers to move people on from the platform, et cetera. With the range of

amendments that the minister has spoken about—our current transport do have the ability, as declared officers, to move people on from an interchange, but at the moment they cannot move people on from, for example, a bus stop, so part of that change to the legislative powers will be defining a bus stop as a place that they can use those move-on powers, and 20 metres around, at the moment, is the proposal. That obviously needs to pass. That will give the transport enforcement officers the power to move people on, 20 metres back from what is defined as a bus stop.

Mr Steel: But there is further work that is going on looking at a range of other powers as well. There will be an initial tranche that we will bring forward, and then we will look at some further reforms in consultation with drivers as well, but we will need to consider human rights implications here quite deeply. I know other jurisdictions are talking about permanent or semi-permanent bans to public transport. That is not something that I am specifically looking at, but we are monitoring what other powers other jurisdictions have.

MR RATTENBURY: Thank you. What accoutrement will the officers carry?

Mr Smith: Sorry?

MR RATTENBURY: What accoutrement? What kit will they have?

Mr Smith: I might need to take that one on notice. That will probably be determined. At the moment, we are looking at various things like, for example, body-worn cameras so that they can monitor interactions with the public. I am assuming you are heading towards, “Will they carry some sort of protection device?” or something like that. No, at this point, they will not be carrying that. One of the important things about de-escalation is not escalating the situation.

MR RATTENBURY: Of course.

Mr Smith: The drivers will all go through de-escalation training; that is one of the things that Ms Taylor-Dayus mentioned, in the budget. Obviously, these transport enforcement officers will go through the same training and possibly an even more complex piece of training in relation to that.

MR RATTENBURY: Thank you. And with the ACT raising the minimum age of criminal responsibility from 1 July, what training will be given to these new officers to understand the current state of that law?

Mr Smith: There will be education in regard to the legislative powers that they can act on. That would form part of that education piece.

MR RATTENBURY: Okay. Thank you.

MS CASTLEY: One final question: will they be able to issue fines? And what are the fines for being caught without paying?

Mr Steel: The ability to issue a fine is under the current legislation. The fee schedule would also be there as well, but—

Mr Smith: I do not know off the top of my head how much it is.

MS CASTLEY: All right. I just thought I would ask.

Mr Steel: And fines have been issued in the past as well, but just as of late we have not been doing that sort of compliance on buses. It has certainly been very active on light rail, and that has worked to see a lower level of fare non-compliance on those services.

THE CHAIR: Minister, I want to go back to the original question, which was pretty clearly, I thought, about screens on buses. If I recall correctly, what you were saying was that that was covered by your election commitment.

Mr Steel: No, that is not what I said. I said the work that we committed to around the new teams of transit officers and the legislative review was a commitment prior, but we had then talked to the driver workforce after the election and screens were a key priority, and that is something we have acted on as soon as we could.

THE CHAIR: I am pretty sure your comment was that you had already committed to them before the strike.

Mr Steel: Not the screens; the other measures.

THE CHAIR: Well, the question was certainly talking about screens.

Mr Steel: Yes.

THE CHAIR: So let me get this very clear: you had not committed to the screens before the strike.

Mr Steel: We might be able to clarify that. We may have had discussions about the screens prior to the strike, but they had not at that point been ordered, no. But the election commitment is very clear: ACT Labor's transport policy is the reference point for that.

THE CHAIR: Very good. That leads me very neatly into my next question, because a range of ministers have been reluctant, at the least, to talk about Labor election commitments and would rather talk about what is in the budget—largely, I am assuming, because what is in the budget is not perfectly aligned yet to what is in your list of election commitments. At what point has the government committed to something versus Labor's election commitments?

Mr Steel: The commitments that the party makes are for the term. There are four budgets in the term. Those commitments then have to go through government processes, if they require funding, and not all of them do. The legislative change that we are referring to does not require funding, obviously, but it does require a process—a cabinet process—for consideration and then a legislative process for implementation, and it has to have the support of the Assembly to pass. Those commitments that require funding will go through the budget process in one of the four budgets to be delivered in the term.

But I guess what you are asking is, “How do you actually deliver on your commitments?” You can see in the budget papers that we are clearly getting on with our transport commitments: by funding those transit officers; by funding the extra 30 buses, which are part of the commitment that we made at the election to buy 110 electric buses, so we are partially delivering on that, and then in future budgets, we will look to fully deliver on that commitment.

THE CHAIR: My question is, basically: can we consider all of those Labor election commitments to be government commitments?

Mr Steel: The Labor Party took those to the election, and we intend to deliver on them in government, and we will do that through the budget process or through other means.

THE CHAIR: I think I can take that as a “yes”.

Mr Steel: We formed government after the election, so we are committed to getting on with delivering the election commitments.

THE CHAIR: It seems a very strange thing to try and avoid a straight answer.

Mr Steel: It is a strange thing for you, because you took election commitments to the election and have never been able to deliver them.

THE CHAIR: Mr Steel!

MR RATTENBURY: And now we are into university politics!

THE CHAIR: I think we will move on from that, and I will pass back to Ms Castley.

MS CASTLEY: Thank you, Chair. I would like to talk about the out-of-service buses. Someone raised it with me, and now that I look around, I see quite a few. Why would a bus be travelling around Canberra out of service and how often does this happen daily?

Mr Steel: It is because it needs to return to its depot after delivering a run, which may include multiple different routes. But I will hand over to Mr McGlinn. This is a question, really, about dead running in the system, and with a bus network, there is always some level of dead running. The work that our bus network planners do is trying to reduce that level of dead running as much as possible, and there is good software that supports that—to be able to reduce that. Obviously, where the depots are in the city matters and helps to reduce dead running as well. The introduction of the Woden depot, now that it is open, has been beneficial in terms of the efficiency of the network and reducing dead running times, and Mr McGlinn might be able to comment on that. Because it is a more central depot, it means that the services are not necessarily having to return as far at the end of the day, down to Tuggeranong for example, and so there are certainly benefits of having more flexibility around the depot locations.

Mr McGlinn: Another good question, and I could talk for a long time about that. Dead running is a factor in every network, so it is not just specific to the territory, and can range at around 18 to 20 per cent. I will take on notice, if I could, and produce the exact

figure that the concurrent network gives you. Every trip is scheduled, but for a trip, you have to have a bus out there to start; for example, if you have got a bus in Belconnen and the first trip is from Fraser West, that is dead running, isn't it? It has got to go from the depot to out there; when it completes the journey, it may have to then drive from Belconnen out to Gungahlin, to start another run, so all the trips have an element of dead running in them. If you start a school service, for example, there is nothing that links into a school service, so you have to drive. So that is how you clock up all of that.

The minister is correct about having depots in central locations, or where you can start and minimise trips. The new depot at Woden is helping reduce dead running, because its proximity to the Woden interchange gives the ability for a short run, and it is into service straightaway. Also, the run times are affected, because it might take a bus a longer time, and you need to have a bus there to do the next journey back; you might have to dead run a service out there to do it. With the run time efficiencies that we were able to do with the network, that we started in April, 96 additional trips went into the network.

MS CASTLEY: How often would a bus be not in service from Tuggeranong back to Belconnen? Does that happen?

Mr McGlinn: It can do, yes.

Mr Smith: With the network, every day you will see not-in-service buses running, because, as Mr McGlinn said, for them to reach from their home depot out to a start location, you will likely dead run from one of the depots—and if that is Fraser West, hopefully, Belconnen, preferably, out to Fraser West to then start that run. Then when they terminate their run, as well, they do not always finish back at a depot; they might finish back at Fraser West as the last terminus and then do that dead run back to their depot at the end of a shift.

There are a couple of other factors in there as well. For driver training for our new bus drivers, those buses will always display “not in service”. If a mechanic is mechanically testing or transferring a bus from one depot to the major overhaul unit at Belconnen, that will be “not in service” as well. We did make a conscious decision a number of years ago to display the buses as “not in service” so the public knew not to expect that bus to stop at a stop.

MS CASTLEY: I do not know how to plan a bus route, but I would hope that we are doing everything we can to not have a Tuggeranong bus doing a Belconnen run at any given time. Do we have an idea of how often that happened in past years?

Mr McGlinn: I can try to extrapolate that out for you. We use a company called GIRO, who run a software program called HASTUS. HASTUS is a scheduling tool. It tries to minimise dead-running for most efficiency. It might be that a bus, as it starts a service, dead-runs and then comes to the city. Whilst it is a Tuggeranong bus, the next available journey for it might take it out even further to the north and then back over towards Belconnen. It will not link them all to journeys, because that would create inefficiencies, if it tries to loop them all back. It is a massive tool used worldwide.

Mr Smith: Each bus does not just circle on the same route. With the scheduling, the

bus will jump between routes at times. We also might see further dead-running at the start of a shift so that it can achieve less dead-running at the end of the shift. Vice versa as well.

MS CASTLEY: I would imagine there would be a significant cost in fuel, if it is not an electric bus, and there is staff.

Mr Smith: That is right—the driver.

MS CASTLEY: Thank you.

THE CHAIR: I just want to confirm the numbers I heard before. I think you said the proportion of dead-running is 18 to 20 per cent?

Mr McGlinn: I will take that on notice and I will confirm the figure.

THE CHAIR: That would be really good.

Mr McGlinn: Industry-wide, it is anywhere from 15 to 20 per cent. It is greater in some states and territories.

THE CHAIR: It would be useful to understand how that compares to other jurisdictions.

Mr McGlinn: When they have released that. Anyway, we can compare any public documents.

Mr Smith: There is a balance point to that dead-running as well and how we integrate that into the network. If we were to have more bus depots, for example—smaller satellite depots et cetera—that would require more staff in those depots. So there is an offset between the staffing and the fuel that we use for dead-running—the drivers et cetera.

THE CHAIR: In our electorate, Minister, in places like Weston Creek, a comment keeps coming up—that the most frequent service they see is “Not in service”. There is certainly a perception that there are more buses running around that are not in service than ones that people see actually picking up passengers. That is why I am interested in the comparison.

Mr Smith: That would probably not be a wrong view, if you think about the number of routes we have—and I do not know the exact number—and that dead-running is, say, 18 per cent, so 18 per cent are not in service, versus hundreds of routes. So you are more likely to see a “Not in service” bus than a route 10, a route 31, a route 51 or something like that.

Mr Steel: And you are more likely to see them now that there is an operational bus depot in Woden, because that is where those “Not in service” buses are going. They are all going to come through Woden if they are going to the Woden depot, and in Tuggeranong they are all going to go back to the—

THE CHAIR: It was a comment about Weston Creek.

MR BRADDOCK: I am interested in some traffic studies in town centres. Starting with Gungahlin, I want to check on the status of the Gungahlin transport plan and the actions following that particular plan.

Mr Steel: I will invite Ms Clement to the table.

Ms Clement: Thank you for the question. The Gungahlin transport plan has been completed and the government has funded the Gungahlin road corridor improvements project, which has commenced. We needed to know the outcomes of the transport plan to understand which corridors we would be looking at doing a review of. We are currently procuring a design consultant for the road corridor improvements, and that consultant will commence work later this year. We anticipate the report to be complete by quarter 3 in 2026. It will look at Gungahlin Drive, between Horse Park Drive and The Valley Avenue; Mirrabai Drive, between Gundaroo Drive and Horse Park Drive; and Gundaroo Drive, between Mirrabai Drive and Gungahlin Drive. That is where the Gungahlin road corridor improvements project is up to.

MR BRADDOCK: What about roads within the town centre, in terms of signalisation that is being proposed for those? Is there any examination of that or follow-on projects?

Ms Clement: There is the intersection improvements work that we have undertaken. I understand that the intersection improvement feasibility studies are complete, and any further work is subject to future government decisions.

MR BRADDOCK: I now go to Belconnen town centre. Do you have any update on the traffic studies that have been undertaken for Belconnen town centre?

Ms Clement: I do not have any updates on those. I might need to take that one on notice.

MR BRADDOCK: Please do, particularly on what has been undertaken in the past decade and the actions that are still outstanding from those.

MS CARRICK: My question is about due diligence and going to Infrastructure Australia with business cases. They evaluate processes where the states seek commonwealth funding of more of more than \$250 million. You did very well on stage 2A. You got \$343 million, which is above the threshold, so well done. Did the 2A business case go to Infrastructure Australia? Was there an assessment? And is the assessment public? Similarly, with 2B, will the business case go to Infrastructure Australia?

Mr Steel: That is one for Infrastructure Canberra. We might hold that one over.

MS CARRICK: I thought you might say that.

Mr Steel: In this portfolio, in terms of infrastructure—

MS CARRICK: But would it be a policy from Transport Canberra to—

Mr Steel: I do not have any infrastructure programs that are currently live in this portfolio—not any major ones, anyway. That would be for Infrastructure Canberra. They have the Woden interchange and they have light rail stage 2A and stage 2B. The major road projects fit in Minister Cheyne’s portfolio.

MS CARRICK: With the dogleg for the tram, do you know how fast the tram will be able to go through the Parliamentary Triangle?

Mr Steel: That is a question for Infrastructure Canberra.

MS CARRICK: Or how long it will take to get through the Parliamentary Triangle?

Mr Steel: I think there is some information in the draft EIS, but they can provide that in their session. I did not break up the sessions like this. It is a decision that the committee made. It used to be that we were all together and we could do it, but it is a bit different this time around. That is all.

MS CARRICK: I am unclear where the policy is, and Transport Canberra—

Mr Steel: I am responsible for stage 2A and stage 2B, but the officials are not here to provide the answers for what you are asking.

MS CARRICK: I thought Minister Rachel Stephen-Smith was responsible for Infrastructure Canberra.

Mr Steel: The Chief Minister is responsible, overall, for Infrastructure Canberra, and the individual portfolio ministers are responsible for their major projects. The hospital is with Minister Stephen-Smith; light rail stage 2B and 2A are with me.

THE CHAIR: Minister, at this juncture I want to check: which budget statement is it funded under?

Mr Steel: Infrastructure Canberra.

THE CHAIR: It is funded under the Infrastructure Canberra budget statement, and all of the policy consideration also sits under that budget statement?

Mr Steel: CED is certainly involved at a very high level, but it is with Infrastructure Canberra. The detailed information you are talking about is about the project itself rather than broader transport implications.

THE CHAIR: If we can keep it to broad implications in this discussion, hopefully the minister can provide something.

MS CARRICK: Could I ask about Park and Ride across the network?

Mr Steel: Yes.

MS CARRICK: Will there be more Park and Rides strategically placed as the network

unfolds?

Mr Steel: There could be. There is an opportunity to look at providing access for those who want to use that opportunity. I do not think there is a specific Park and Ride proposed in the project for stage 2 at the moment, but I know Transport Canberra has done some thinking around potential Park and Ride locations in the past, and we implemented some of those. That came out of the work that the Disruption Taskforce had been doing in the lead-up to major infrastructure projects right around Canberra. That work looked at where you could use some existing car parks as a Park and Ride location. That is why we officially designated the car park at the southern end of Mawson playing fields as a Park and Ride location. We implemented that with signage, but new lighting was also installed in the car park. Also, we constructed a new path there to provide safe access through to the bus stops on Athllon Drive. That was one Park and Ride opportunity that was taken up, but there may be others in the future that could provide an opportunity for future extensions of light rail, and Rapid bus routes as well.

MS CARRICK: After the EIS, there would be business case. Is that right?

Mr Steel: That project is not in this session, Ms Carrick.

MS CARRICK: Okay. Can we have more bike cages too across the network?

Mr Steel: Noted. We have bike cages in some locations. A bit of work has been done, not in my portfolio now but in relation to the Active Travel Plan, looking at opportunities for more secure storage. At this stage, the focus is just on getting the existing cages able to be used with the new MyWay+ system.

MS CARRICK: Thank you.

MR BRADDOCK: With respect to bike cages, would part of the criteria consider where they should go—in town centres, for example—where they can tie in with other public transport projects?

Mr Steel: Yes. That was certainly the Active Travel Plan focus, but that is in Minister Cheyne's portfolio now.

MR BRADDOCK: Thank you.

MS TOUGH: How is the government ensuring that Transport Canberra officers have safe, secure and well-paid jobs that are skilled for the transition to zero-emissions technology for buses? The zero-emissions buses are different to the old heavy diesel ones.

Mr Steel: This has been a big piece of work as part of the zero-emissions transition, to make sure that the existing workforce—particularly in the workshops at the bus depots—are skilled to work on the new zero-emissions bus fleet. We have come at it from a range of angles—firstly, guaranteeing that all who wanted to take up the opportunity would be upskilled. These are people who already have a lot of skills. They have gone through vocational education and training. They have a lot of skills in

working on diesel buses in particular, but also the CNG fleet. A lot of them have had a lot of experience in doing that. Some have been working for Transport Canberra for decades.

Part of the discussion was not just how we upskill new apprentices and new employees who work on the buses but also how to recognise the skillset of existing workers, doing that through working with the Canberra Institute of Technology. A nation-leading recognition of prior learning pathway has been developed, which I will hand over to Ms Taylor-Dayus to talk about.

Ms Taylor-Dayus: I can give you some figures on the number of people who have undergone training to date. Over 90 of our fleet staff have undertaken connect-disconnect safety training in relation to battery electric buses. Over 30 have completed the skillsets training modules within CIT. We have worked very closely with CIT. Five fleet staff are currently in the final stages of their certificate III in automotive electrical vehicle technology. We have progressed some of the training modules with CIT. Our experts in the field have helped to build some of those modules before they were able to be rolled out, so they were quite advanced at that stage. We are expecting a further four to progress through cert III.

In relation to recognition of prior learning, we have also worked very closely with CIT. That has historically been a very onerous and time-consuming process, with a lot of trades staff choosing not to undertake recognition of prior learning, not retraining or being trained through a whole qualification. CIT, jointly with Transport Canberra, are trialling a new way of recognising prior learning. We are the only establishment to do that with CIT at the moment. This involves an awful lot of close engagement with our trades staff. CIT are sending some of their skilled personnel to the worksite to observe trades staff while they work, rather than doing the laborious task of completing endless paperwork and CIT having the onerous task of sifting through that to try to match modules. Some of our trades personnel did qualifications 10 or 20 years ago. Trying to match a module from 20 years ago with a new module is time-consuming and sometimes not possible. The trial that we are doing with CIT is proving really fruitful for both CIT and trades personnel.

MS TOUGH: Wonderful. Thank you.

MR BRADDOCK: Regarding bus stops, I am trying to understand what the criteria are, in terms of whether they have seating, shelter, wheelchair accessibility and so forth. Are criteria in place or do we just live with whatever we inherited from previous governments?

Mr Smith: I can briefly talk to that, Mr Braddock. We assess the bus stops on a regular basis. We are working through ensuring that, as a first step, bus stops are accessible under disability standards—the pathway to bus stops, whether a bus can pull up and it can use its hydraulics to be at level et cetera. With regard to shelter, we regularly review the utilisation of bus stops and, where appropriate, we may wish to invest in shelters. We do not have a standard budget item in the operating budget to do that. If we know there is a shelter at a bus stop which is no longer utilised for a reason, we may try, within the operational budget, to relocate the shelter itself. In future, we may look at discussing with government the appropriateness of budget bids for things like that. We

look at what is there, how they operate et cetera.

MR BRADDOCK: Talking about shelters, you utilised the term “where appropriate”. How is whether a shelter should be there or not determined?

Mr Smith: In a perfect world—utopia again—every bus stop would have a shelter. In saying that, there are a lot of bus stops around the city. I cannot say exactly how many there are. The utilisation rate would be one of the most important factors in where a shelter would go. If we have a highly utilised bus stop, ideally that is where we would start looking. If we know that one might pick up one or two passengers a day, unfortunately that would go further down the priority list.

MR BRADDOCK: Do you know what proportion of stops are accessible, or should I actually say “inaccessible” for disabled users?

Mr Smith: I would have to take the exact number on notice.

MR BRADDOCK: Thank you.

THE CHAIR: We have only about half a minute left, so we will have to wind up there. On behalf of the committee, thank you for your attendance today. If you have taken any questions on notice, please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*. The committee will now suspend proceedings for a break and reconvene at 11.15 am.

Hearing suspended from 10.59 am to 11.16 am.

Appearances:

Steel, Mr Chris, Treasurer, Minister for Planning and Sustainable Development,
Minister for Heritage and Minister for Transport

City and Environment Directorate

Burkevics, Mr Bren, Executive Group Manager, Environment, Heritage and Parks
Swete Kelly, Dr Mary Clare, Senior Director, ACT Heritage

THE CHAIR: We welcome back Mr Chris Steel MLA, now in his capacity as the Minister for Heritage. We also welcome the officials in attendance. We have many witnesses for this session. For the officials, when you first speak, please state your name and the capacity in which you appear. Please note that as witnesses you are protected by parliamentary privilege and bound by its obligations. You must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. As we are not inviting opening statements, we will proceed directly to questions. I will note this is a short session and so I will try to keep things a little tighter.

MS CASTLEY: I would like to chat about the Namadgi huts, if I can. Is that part of this session?

Mr Steel: The minister responsible for land management and the Parks and Conservation Service is directly responsible for the huts. But, obviously, they may have heritage value. So, at a higher level, yes.

MS CASTLEY: Great. We know that five years ago, the Black Summer fires, the government promised to build the two huts in remembrance of the ones that stood there. We heard Ms Cheyne say that she is not going to do that now. But the government did consult widely with the community, and they were supportive of the initiatives. Constituents have contacted my office really keen to see them back there. I know Ms Cheyne said no, but I am wondering what role Heritage had in that decision and what you heard from Canberra.

Mr Steel: Over to Mr Burkevics.

Mr Burkevics: Brent Burkevics, Executive Group Manager, Environment, Heritage and Parks, and I have read and acknowledge the privileges statement. As the minister has mentioned, the decision around the huts is a matter for the Minister for City and Government Services, as announced last week. The two huts do engage provisions of the Heritage Act and heritage considerations when a heritage object is destroyed. I can ask my colleague Dr Swete Kelly to talk specifically around how those huts do engage the act and then some considerations for council, who have discussed this matter previously.

Dr Swete Kelly: Mary Clare Swete Kelly, Acting Senior Director of ACT Heritage. The Heritage Council provided advice on the huts in, I believe, 2021. That is the advice that currently stands and, in that, they were supportive of not rebuilding the huts, in continuing with the stabilisation of the ruins and the recognition of the huts in situ. I understand that, at the moment, that is being referred back to council. I know that there

are some conversations going on between council members, but that currently stands as the current statutory advice from the Heritage Council.

MS CASTLEY: What led you to that decision?

Mr Burkevics: Sorry; before we go too far, I will just make sure my colleague acknowledges the privilege statement, if that is okay.

THE CHAIR: There is no need to now; we cover it in the opening.

MS CASTLEY: Great. Well, that is helpful.

Mr Burkevics: Good. Sorry; I thought I missed something.

Dr Swete Kelly: The council is an independent statutory decision-maker. In my role as Director of ACT Heritage, we provide secretariat support, but they make those decisions. So that would be made in a task force environment. Probably, the detailed considerations of that would be made at a task force and then they would make that decision as a whole of council later on. So we are not the decision-makers for that decision.

MS CASTLEY: Sure. Okay; so obviously it is for government. But 90 per cent of the community supported rebuilding them—but I guess that is back to the minister on that. Can we talk about what happens with the ruins? How do we protect that? Is that on the cards, or is it they are just ruined and that is the end of the story?

Dr Swete Kelly: The Parks and Conservation Service, as the owners and managers of those locations, are responsible for managing those in accordance with the advice of the Heritage Council.

MS CASTLEY: And what is the advice of the Heritage Council?

Dr Swete Kelly: That is basically what I was referring to before, in that the current advice is that they can be stabilised as ruins and interpreted in situ.

MS CASTLEY: Okay. Was there a business case prepared for building the huts? Would that be something for this hearing? ?

Mr Steel: I would imagine that that is a matter that is cabinet in confidence. But I would not say so, because it is a matter for the other minister.

MS CASTLEY: All right. I think that is all I am going to get out of that one.

THE CHAIR: Just very quickly as a supplementary, I think you mentioned that it has been referred back to the Heritage Council. Is that correct?

Dr Swete Kelly: I should say “not formally referred”. But they are having a conversation with regard to the current discussion and advice that has gone up to the ministers; so Minister Cheyne and Minister Steel.

THE CHAIR: So that is an informal conversation? Is that correct?

Dr Swete Kelly: Yes.

THE CHAIR: Is it to be considered at a meeting?

Dr Swete Kelly: Yes; it will be considered at the next Heritage Council meeting. They have just had a discussion about the general context in which the current discussion is going on, and they are going to talk about that in terms of their advice.

THE CHAIR: What date is that meeting scheduled for?

Dr Swete Kelly: I am not sure; they have just changed their date.

THE CHAIR: Okay. Would you like to take it on notice?

Dr Swete Kelly: You might be aware that we have a new Heritage Council, and they are talking about new days and new times. But I would expect late August, early September.

THE CHAIR: I am happy for you to take the actual data on notice.

Dr Swete Kelly: Yes; sure.

MR RATTENBURY: I want to ask about the review of the heritage arrangements. During the term of the Tenth Assembly, there was a review conducted and a consultation report was released, which outlined three themes and proposed 46 actions. I was pleased to see in the budget that there is funding of \$1.5 million to support delivering heritage reforms, including a heritage database. Can I please get an update on the upgrades to the database, and then also what is happening with the other 45 recommendations?

Mr Burkevics: Thanks, Mr Rattenbury. The heritage review that is available publicly provides a really good authorising environment for heritage and the council to progress a range of improvements to the ACT's heritage system. I am limited in what I can discuss with the heritage database, because it is still live procurement action. There has been a lot of work over the last 2½ years to examine the data needs, what options may be available in the marketplace to test the market in relation to the estimated costs of those and provide advice to the government on that. But there is still a procurement process that is live and so it is not appropriate that I talk about that.

MR RATTENBURY: Of course. When did that commence, Mr Burkevics?

Mr Burkevics: I might have to take that on notice, but it was a—

MR RATTENBURY: A ballpark will do.

Mr Burkevics: I think it was the end of—

Dr Swete Kelly: February.

Mr Burkevics: Yes, February.

MR RATTENBURY: Terrific. Do you have a rough closing date on it?

Mr Burkevics: I think that is part of the process at the moment, but that is imminent.

MR RATTENBURY: Okay; thank you. That is fine. I do not need it on notice; that is enough information. And the other 45 recommendations? Not one by one, but can you give me a sense of it?

Mr Burkevics: As you may know from the budget statements, there has been considerable investment by the government in increasing the capacity and capability of the Heritage Unit to support council's deliberations and decisions. I think several years ago, the DA referral timelines were at an unacceptable level of 64 per cent. As a result of investment and some reform work internally, that has now lifted to 82 per cent. So that is a significant improvement and well on the track to get towards the target.

Also, there are number of reforms to council and the way council are operating. We are in the final stages of assisting the minister to prepare a statement of expectations and terms of reference for council. Also, as you may be aware, legislative reform under the previous government certainly allowed council to be far more agile and responsive in relation to some of the existing nominations to the Heritage Register.

So we have seen some really good wide-ranging improvements and also a real focus on ensuring accessibility to council and responsiveness to the Heritage Unit, with what is a very high workload over the last couple of years. So there is a real focus on ensuring that, as a regulator, there is good engagement between ACT Heritage and proponents on their development needs and access to advice.

Mr Steel: I met with the council—I think it was last week. It is a relatively new council—with a new chair, new deputy chair and quite a number of new council members. One of the things that I have asked them to do as new council members is to appraise themselves of the review and the government response and get an understanding of what occurred on the council in the past and the strong relationship and cooperation that we want to see develop on the council, particularly with ACT Heritage and supporting them to be able to make effective decisions. There were governance issues with the previous council, and we want to make sure that the newly refreshed council, which does have some experience still continuing as well, is addressing those matters that have not yet been addressed as well as looking at some new things that we have not before.

We have got a good level of Aboriginal and Torres Strait Islander representation on the council. Before I finalise a statement of expectations for the council, which will include addressing those governance issues, similar to the previous minister's expectations, I do also want to hear from them about what their priorities are, particularly on protecting and celebrating heritage in relation to Aboriginal places and objects and an understand also of whether they have any other priorities that we need to consider.

There are quite a number of projects in the planning space that they will have a vital

role in providing some high-level advice on; not just around registering, which is sort of the core of their sort of day-to-day business, but high-level heritage advice on, particularly, the Southern Gateway work and the design and planning framework there, because it engages with the national approach road of Adelaide Avenue into the Parliamentary Triangle. And, obviously, the future light rail line will transition through an area which has very significant heritage matters that are under consideration at the moment as part of the draft EIS but will also be under consideration through the land use planning work as well.

Then, as we see more development occurring and change in the city through other planning reforms, I have also asked them to consider how we can protect and enhance the heritage status of the built form, in particular, looking at whether they need to consider protecting particular key examples of some of the built form that we have, noting that we could see knockdown rebuilds occur in the city. We are already seeing that to some extent without planning reform, but it could happen more often with the planning reform that is being proposed.

MR RATTENBURY: Thank you.

MS CARRICK: My supp probably just goes over that, just to clarify. In 2024, the government responded to the inquiry into the heritage arrangements, and it says: “Develop an ACT heritage strategy; develop ACT business plans; and develop stakeholder engagement and communications plan for heritage”. Are those the recommendations that Mr Rattenbury was talking about, and after you have done your statement of intent and after the governance arrangements are sorted out, then they will be doing those sorts of things?

Mr Steel: I think certainly a lot of the recommendations are for council and the way that the council operates. A number of those have already been actioned. So we are seeing, I think, quite a positive response from them since the review, acknowledging that there were issues. So, yes, we will then progress with the matters that we have agreed to do as a government. But the statement of expectations is a sort of higher level document and it will outline some of the actions that we want them to prioritise.

MS CARRICK: And that will include a heritage strategy, a business plan and a stakeholder engagement communications plan?

Mr Steel: Do you want to comment on that?

Mr Burkevics: Yes; thanks, Minister. Certainly the focus, as the minister mentioned, has been on certain elements of the outcomes of the heritage review, the Assembly’s review, which, as you may know, aligned really, really well with the government’s own review before that. The focus for Heritage over the last little while has been very much on the tangible delivery that supports develop—

THE CHAIR: Sorry, Mr Burkevics; acknowledging the time constraints, if we can come to Ms Carrick’s specific question?

Mr Burkevics: The focus remains on the decision-making and those things that support the referrals process, the planning process and also the construction management plans.

So I think there are further conversations to be had about the strategy and the appropriate timing of that once the other bodies of work are done.

MS CARRICK: Okay. No worries. I just saw them in the recommendations to the government response.

MS CLAY: I have some supplementaries on First Nations heritage in this work. Will First Nations heritage be part of the new database that you are procuring at the moment?

Mr Burkevics: Thanks, Ms Clay. There is a really significant focus across all areas of heritage. As the minister indicated, we are really pleased to see that there are two First Nations representatives on the council. It is absolutely a big focus.

MS CLAY: Thank you for advising about the reps on the Heritage Council. Will the new database that you are procuring at the moment be able to record and process First Nations cultural sites?

Mr Burkevics: As mentioned, I cannot speak in any detail on a procurement or where matters are up to in terms of a database. What I can say is that the protection of the cultural data that is held by ACT Heritage already is a huge priority, and a lot of work has been done already to clean and make that data accessible.

MS CLAY: I am sorry; I am not looking for pre-announcements of things that cannot be announced. But, if you do not scope something in a contract, you will not get it delivered. So I am just trying to check whether the government has decided to put this into the procurement—because, if you do not ask for it, then it will not be there.

Mr Steel: If you want to take it on notice and then we can check.

MS CLAY: On notice, would be fine.

Dr Swete Kelly: It is my understanding that, yes, we are doing the body of work to enable the governance arrangements and the conversation with First Nations about data accessibility in the First Nations space. But that sits alongside and parallel to the actual database procurement itself.

MS CLAY: Okay. I am not sure I am going to get any further on that.

Mr Steel: We might take that on notice and just see whether we can answer it in relation to the specific requirements for the database.

MS CLAY: Thank you, Minister. The consultation report also proposed establishment of an Aboriginal cultural heritage body. Is that progressing?

Mr Burkevics: That one is still being discussed. I think the focus to progress the establishment of the new council in accordance with the current act. Essentially, the recommendations there in the review provide a policy environment for Heritage at a point in time to provide further advice to government on that matter. So, at the moment, it is an absolute consideration, in line with the government's response. But the focus has been on other work at the moment.

MS CLAY: So it has not been accepted to implement in future; it is still being considered?

Mr Burkevics: And I think that is the outcomes of the government response. We have some policy approval to do further work and, down the track, provide further advice to government on how that may operate, noting there are complexities.

MS CLAY: I have also been asked by some folk about the status of one particular First Nations cultural site, the Yankee Hat. Is that currently open at the moment? Are the roads to Yankee Hat open, or is that still closed?

Mr Burkevics: The roads to Yankee Hat are open. There has been significant work to prepare that site for a reopening very, very soon. There will be some news from government on that very, very soon. It is a pleasing result.

MS CLAY: Great. And the government is working with First Nations people on that? How are you doing that?

Mr Steel: This fits into the Minister Cheyne's portfolio, but—

Mr Burkevics: In accordance with the Heritage Act, there is a requirement for engagement with the RAOs. Dr Swete Kelly can certainly explain how RAOs are engaged in anything that engages the Heritage Act.

MS CLAY: No, that is okay. So RAO engagement is the way that you are engaging?

Mr Burkevics: Yes, through the RAOs.

Dr Swete Kelly: Yes.

MS CLAY: Given the time, I do not need an explanation of what the RAO is.

MS CARRICK: My question is about the status of the Callam Offices. I heard they were up for sale. What has happened?

Mr Steel: That is a matter for Infrastructure Canberra and Places and Spaces, who have responsibility for Callam Offices. They may be able to provide some guidance. It is heritage listed. I do not know whether you want to provide any comments on the heritage listing, but—

Dr Swete Kelly: No. As you said, it is a responsibility for the place manager to manage that and manage the sale or whatever use of that site might eventuate in the future. The Heritage Council made a decision on that some time ago and protected that as an entry on the Heritage Register. Now it is over to them to sort of look at the options for future use of that site.

MS CARRICK: What are the heritage requirements that have to be looked after? What did you say about the Heritage Register? It is in the Heritage Register.

Dr Swete Kelly: Yes, it is.

Mr Steel: Yes.

MS CARRICK: What are the heritage requirements for the site?

Dr Swete Kelly: I would have to take it on notice about the specific requirements for that site. But, in general, the Heritage Register notes what the significance of the site is. I do know, from this point of view, that it is the architectural elements of that place. But I am not quite sure what might be the limitations of those specific requirements on Callam Offices.

MS CARRICK: Would the Heritage Council be responsible for ensuring that it is looked after and maintained?

Dr Swete Kelly: The Heritage Council is responsible—

MS CARRICK: Or Heritage in the directorate, sorry. I know there is—

Dr Swete Kelly: No; it would be the Heritage Council as the decision-maker. Basically, they need to make sure that the significance of the site or the place is being maintained. If that were not to happen—and I am not saying that is in this instance—they have capacity to make heritage directions or repair damage directions that basically direct the properties and landowner/managers to rectify that to maintain that significance.

THE CHAIR: Just quickly, going back to your previous response, you said that you would “have to take that on notice, but”. Can I confirm that you have taken that on notice?

Dr Swete Kelly: For the specific requirements of Callam Offices? Is that correct?

THE CHAIR: If that is what you were looking for, yes.

MS CARRICK: Yes; the specific requirements and whether they are being complied with.

Dr Swete Kelly: Yes.

THE CHAIR: Thank you.

MS CARRICK: Who decides whether they are occupied with workers or not, because, often in the past, it has been used as office space? So who decides whether or not there are people working in there?

Mr Steel: The place manager.

Mr Burkevics: Yes.

Mr Steel: There may be heritage matters that arise in relation to the use of the building that may need to be considered through the Heritage Council. Otherwise, it is the place

manager who would determine that.

MS CARRICK: Okay; thank you.

THE CHAIR: What obligation is there for the government in terms of maintaining a heritage listed building like Callam Offices?

Mr Steel: I think Dr Swete Kelly touched on that in her previous answer. There are requirements under the act, and that is a matter for the Heritage Council to make a decision on.

THE CHAIR: What happens if those obligations are not met? Is it exactly the same as for a private owner as for a public owner?

Dr Swete Kelly: Yes.

THE CHAIR: Who is responsible for enforcing that?

Mr Steel: The Heritage Council. Access Canberra also has a regulatory remit with regard to leasing provisions as well.

THE CHAIR: Okay.

MS TOUGH: How does the government protect and celebrate our unique heritage places, and how do we ensure that community voices are heard in the heritage listing process?

Mr Steel: I will hand over to Dr Swete Kelly. The listing process is obviously a key one, which the council, almost entirely, has the remit in terms of decision-making power. So they consider listing it. There are a number of different community consultations that are underway that I am aware of at the moment for some of the proposed registrations, and the community will have their views and be able to provide those.

I think the only power that I have is to ask some questions about some of the issues raised during the consultations, which I have exercised on one occasion in relation to the Kingston shops that the Heritage Council is considering. Then, of course, through ACT Heritage, who administers the heritage grants, there is an opportunity for many of the organisations that support and celebrate heritage around the ACT to put in for grants. There is a grant guideline there that is updated for every grants process that provides an outline of the things that the government is willing to contribute towards.

We also fund Heritage Trust ACT, which undertakes a range of activities. Just on the weekend I visited the Heritage Symposium that they were holding at the Australian National University, which brought together a range of their different stakeholders and a range of very interesting presentations on heritage matters in the ACT and beyond and work that is being undertaken. I do not know whether you want to add anything further to that.

Dr Swete Kelly: The minister has touched on the Heritage Festival and the Heritage

Grants Program. We also have the Canberra Tracks program, which is a system of signage throughout the ACT acknowledging heritage, and there are drives, walks and pathways associated with that.

In terms of the process of consultation—I guess that is quite different—that is a matter for the Heritage Council. Once the provisional registration is made, there is a period of public consultation. That is why the process is divided up into a provisional registration period that allows time for that public consultation before a final decision is made. That is a statutory four-week period of public consultation and then the Heritage Council provides a report to the minister on that public consultation, allowing for, as the minister mentioned, him to make direction to council supporting that, asking for further clarification or a range of other actions.

MS TOUGH: Wonderful; thank you. Just in the interests of time, maybe you can take this on take it on notice if it is going to be too long. Could you list some of the recently listed sites? You mentioned there being a listing process. Once we get through that process, if the decision is made to list them, what are some of those sites that have been listed in the last 12 months? I am happy for you to take it on notice, given the time, if it is easier.

Mr Burkevics: Is it information available online already through the Heritage Register?

Dr Swete Kelly: Yes.

Mr Burkevics: So there is a register online already.

MS TOUGH: Perfect; thank you. I will check it out.

Mr Burkevics: Thank you.

Mr Steel: Tuggeranong Skate Park is one that has currently been proposed, as well as the Erindale Brick Banks Park. So there are a few.

MS TOUGH: And the Erindale skate park as well.

Mr Steel: People have different views and that is the opportunity to say.

MS TOUGH: Thank you.

THE CHAIR: Noting that there are only two minutes left for the session, I will just check in with visiting members if there are burning questions.

MS CASTLEY: I am okay; thanks, Chair.

MS CLAY: I am just wondering, do we have a date for when the government response to the heritage review will be handed down or be completed? There is funding in there for 2025-26 and no future years funding. Does that mean it will be finished in 2025-26?

Mr Burkevics: Matters relating to the government's response to the heritage review are an ongoing matter for government. There is a range of works—short-term work to

long-term work—and we continue to support the minister in considering future resource needs to support those recommendations as government has responded to.

MS CLAY: Okay; no end date yet.

THE CHAIR: On behalf of the committee, I thank you for your attendance today. If you have taken any questions on notice, please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*.

The committee suspended from 11.44 am to 12.45 pm.

Appearances:

Berry, Ms Yvette, Deputy Chief Minister, Minister for Education and Early Childhood,
Minister for Homes and New Suburbs and Minister for Sport and Recreation

Education Directorate

Wood, Ms Jo, Director-General

Spence, Ms Angela, Deputy Director-General

Moore, Dr Nicole, Executive Group Manager, System Policy and Reform

Stirling, Mr Mark, Acting Executive Group Manager, Service Design and Delivery

Matthews, Mr David, Executive Group Manager, People, Communication and
Governance

Ackland, Mr Daniel, Acting Executive Group Manager, Finance and Infrastructure

Moysey, Mr Sean, Executive Branch Manager, Education and Care and Regulation
Support

THE CHAIR: We welcome Ms Yvette Berry MLA, Minister for Education and Early Childhood. We also welcome the officials in attendance. We have many witnesses for this session. Please note that, as witnesses, you are protected by parliamentary privilege and are bound by its obligations. You must tell the truth. Giving false or misleading evidence is a serious matter and may be considered contempt of the Assembly. As we are not inviting opening statements, we will proceed to questions.

MISS NUTTALL: I am curious about funding for schools, noting that I believe 77 of the 92 schools were over-budget this year. Considering that many schools have spent their budget already this year, what is the government doing to ensure that this does not happen again?

Ms Berry: I will ask Mr Matthews to provide a bit more detail on the context around all of this, but I note that the ACT's public schools are second only to the Northern Territory on total expenditure per student in public education. That is something that we have been proud of for a number of years. All our schools are funded above the Schooling Resource Standard. For 2023, which is the most recent data that we hold, ACT funding to public schools was 89.26 per cent of the Schooling Resource Standard, which is well above the 80 per cent that has been legislated. The federal government provides 21.25 per cent, as of 2025, following the Better and Fairer Schools Agreement that the ACT government was able to achieve with the federal government. I need to put that out front, but also, during our negotiations with the federal government, I made clear to the federal education minister that, whilst ACT government schools are funded well above the Schooling Resource Standard, that was still not enough. That is why I held off for a better deal for ACT public schools.

The \$27.311 per student, which is the Schooling Resource Standard that we provide in the ACT, is 9.9 per cent higher than the national average. I want to make clear that our schools are funded above what we agree on nationally as the rate. However, making sure that we meet the need of every child and making sure that we have an equitable system across all of our schools so that every school and every student gets the funding that they need has become a more complex issue for individual schools. It was particularly so during COVID and with challenges like school teacher shortages and unplanned illnesses.

THE CHAIR: Ms Nuttall, could I check: is this going to the question that you asked?

Ms Berry: I am getting there. Mr Matthews is flipping over his pages to get on the right page. I was filling in some space, Mr Cocks.

MISS NUTTALL: That certainly answered a number of my supplementaries, so thank you.

Mr Matthews: I have read and understood the privilege statement. Miss Nuttall, thank you very much for your question. We have projected what we think might be the cost pressures faced by our public schools in 2025 at around \$43 million. That is less than four per cent of the total education budget. We have a funding challenge but not a funding crisis in that respect. And we are working with our principals around what some of those cost pressures are and are supporting them to make necessary adjustments.

Regarding the way that schools are staffed, I really want to emphasise that they operate on a calendar year. They set their staffing at the beginning of the calendar year and retain that staffing throughout the school year. For the remainder of 2025, what we said to our school leaders is: “Essentially continue to do what you have done this year, but do not make any further budget commitments beyond your current budget envelope.” So there will be no reductions in staffing or anything of that nature in schools in 2025. We will continue to recruit all necessary positions—school leader roles, teacher roles and other roles to support safety initiatives in schools as well. What we will commit to—and we have started this work already with principals—is to develop a school budget management plan for every school by week 7 of this school term. We have just started, in week 3. In that school budget management plan, we will confirm with them their revised financial budget for this calendar year, for 2025. We will also work with them to confirm what their budget is for next year, for 2026.

The reason it is really important to do that work now is that many of the key decisions around school operations occur during term 3 of the previous year. Schools determine their budgets and their staffing structures—for example, their year groups at a school level, and how many year 3 classes and how many year 4 classes there are—and also their curriculum offerings in a secondary environment. We want to put the information in the hands of school principals this year to make decisions for next year. We have asked them to work towards getting back on budget for 2026. We acknowledge that not all schools will be able to do that for a range of reasons. We have already acknowledged that some schools have particular local challenges that require additional investments. We are taking a school-by-school approach within the general parameters that I have outlined. We want people to work back towards budget, we want to be faithful to our needs based funding arrangements, and we want to make sure that principals have all the information they need to make the best decisions in conjunction with their local school communities.

MISS NUTTALL: Thank you. You mentioned “necessary adjustments”. I am glad you have a commitment to not cut staffing. Can I confirm that you do not anticipate that you will need to cut staffing or class sizes?

Mr Matthews: In a very general sense, to be very clear about that, it is basically

business as usual for the second half of the year, as it was in the first half of the year. If positions were filled in the first half of the year, we will be filling them in the second half of the year. We will not be making changes to classroom structures and things like that in the 2025 school year, because schools operate on the basis of the whole school year. What I mean by “necessary adjustments” is that schools are very dynamic environments. Throughout the calendar year, we will still continue to make sure that we assess things like adjustments that are needed for students with a disability and we will still continue to address work health and safety issues. It is extra important that principals know the budget that they are working within and they know that the directorate will work alongside them to meet that.

Also, as part of school budget management plans, we will give them some advice on some of their operational expenditure. The vast majority of resources that go into schools are staffing resources. Some cash and other support goes to schools. We are asking schools to work with us to develop those budget management plans as quickly as possible so that they can make all those financial decisions and be open and transparent with their school communities.

MISS NUTTALL: I note that you talk about the 2025 calendar year. Can you rule out any potential job cuts or loss of positions as a result of needing to change budgets for the 2026 calendar year?

Mr Matthews: The budget papers show that funding to education increases next financial year by 5.7 per cent, off the top of my head. We also have an increase in full-time equivalent staff. Against a very complex operational environment within schools, the government still continues to invest in public education in very significant numbers. We have a global budget that we have to work towards, and then we have to work with individual schools around what that looks like on the ground.

Ms Berry: Miss Nuttall, I can add to that. What could happen next year—and this is the reason Mr Matthews is probably not saying he will rule things out—is that school cohorts will change. That means that a school’s requirement for a particular number of staff might change as well. That does not mean that the staffing numbers overall will change. It might mean that staffing might be moved to other schools to meet the needs in other schools. That could be something. It is a complicated matchmaking process in making sure that every school gets what they need, based on the student cohort. That is not really known until towards the end of this year, which is why the work has started now.

MISS NUTTALL: Given that they are still employed by the Education Directorate overall, is there a guarantee to your staff that they will be able to retain their jobs if they had, for example, a five-year contract at a school, a five-year placement at a school or anything like that?

Mr Matthews: In general, we will meet our obligations to all our staff. Permanent staff will continue to be employed. There is no program of redundancies or job cuts. We are still, as everybody would be aware, in the middle of a national teacher shortage. We have done a lot of work to make sure that we have enough teachers to staff our system. We want to retain all those people and deploy them in our system.

As the minister said, one of the key determinants of school-by-school funding is enrolments. Enrolments change every year. Some schools are increasing their enrolments, which means they get more funding and more staff. Other schools are decreasing their enrolments, and they therefore need fewer staff, because their student population is going down. We also fund on the basis of complexity. Where we fund for students with disability or other needs, if those students move from school to school or go from, say, primary school to high school, the picture changes. That is why the funding environment of schools is quite variable. It is important to be as clear as possible. The level of investment continues to go up. We want to support our staff. We will meet our commitments to staff. We really value the role of not only all of our teachers and school leaders but also our other learning and support staff, business managers, cleaning staff and building services officers. They all play such an important role in the way that we run ACT education.

MISS NUTTALL: I absolutely take your point. I am concerned when you talk about the offerings that are able to be provided, especially for smaller schools—when you are attracting funding per head and, all of a sudden, you are at risk of losing courses that might have attracted students. What are you doing to support smaller schools in particular, which might struggle to achieve economy of scale if they see any more losses, or even at present?

Mr Matthews: In general, there are some loadings in our funding formula for smaller schools. For example, there is a minimum structure that we put in place, regardless of school size. The business cycle that I talked about, where schools make staffing decisions now for next year, is also based on the enrolments that they are offering. As part of that, they are also negotiating the curriculum offerings that will be available. In general, we find that our schools work very well together to share resources, where that is possible. Obviously, we want students at every school to have a good range of choices around their curriculum. Of course, that again varies by sector—primary school, high school and college. I appreciate that the intention of your question, Miss Nuttall, is to confirm that we have committed to try to provide a good range of curriculum offerings in all our schools to make sure that there is a good experience for all the students.

MISS NUTTALL: Beautiful. Thank you. Part of the ABC article talked about schools being over-budget. I understand the government has announced a review into school funding. What will be the nature of that review? What is the scope of it, if you do not mind me asking?

Ms Berry: We are still working through the scope and we are meeting with representatives on Friday—with the P&C, the Australian Education Union, the CPSU I think, the UWU and the Principals Association. If I have missed somebody, I did not mean to. It also includes the School Business Managers Association. That is to work through what the actual scope of the review will look like. The intention is for that to be carried out as quickly as we can, but it will not change the budget situation for this year and the work that we are doing in that space.

MISS NUTTALL: To clarify: this financial year?

Ms Berry: Yes.

MISS NUTTALL: Will the findings of this review be made public?

Ms Berry: I expect so, but, again, I am meeting with stakeholders on Friday and we can talk through that.

MISS NUTTALL: Thank you. Have you received any initial feedback? I would imagine that conversations would have been happening over the past few weeks on what stakeholders think is particularly important to be included in the scope of this review.

Ms Wood: The minister shared the draft terms of reference with the stakeholders, and we have been progressively getting some responses from stakeholders. We will collect those for the minister for the Friday meeting. I acknowledge the privilege statement.

MISS NUTTALL: Thank you so much.

THE CHAIR: Did you say that there are draft terms of reference that you are consulting on at the moment?

Ms Berry: Yes; that is correct.

THE CHAIR: Is that something you could provide to the committee on notice?

Ms Berry: I will take it on notice.

THE CHAIR: Thank you.

MS CARRICK: When you are looking at budgets, what sorts of things can you do to alleviate the expenditure of schools? Do you have lists of relief teachers that they can use or do you help them by centrally managing maintenance? How do those things work?

Mr Matthews: Ms Carrick, thank you very much for your question. If you do not mind, Minister, I will start answering that. The first thing to say is that we have an education system. Public schools operate together. There are 92 individual schools, but they operate together as part of a single system. We try to get right the mixture of what we can provide centrally to support our schools and what they need to do locally to respond to their community needs. It is an important balance to get right. For example, there are numerous services that we provide from the Education Support Office. That is at the centre of the directorate, with staff that are not based in schools. That is probably the best way of describing it. We provide a whole range of centralised services, including the School Psychology Service and the School Cleaning Service, and we provide asset and infrastructure support as well. We have a team that works on setting up either panels or contracting arrangements that schools can leverage off.

We provide procurement support for schools. This year, we have also been doing some work around centralising some building services—that is, the School Business Services offices and some of the things that they do. We have put in place a model of inbuilt relief, so that we have a pool of staff available to support schools if they need additional maintenance assistance or they have vacancies that they need to fill. We are also doing

a lot more centralised recruitment. The directorate has always centrally recruited teaching staff and school leader staff, but, until recently, building services officers and learning support assistants, for example, were employed at the local school level. We are introducing some centralised recruitment as well to assist that.

Hopefully that gives you an example of a number of the things that we are doing to both provide services to our schools but also build some economies of scale for them so that they can get value for money in the way that they are engaging third-party contractors, for example.

MS CARRICK: Centralised maintenance is good. Do you do an audit of all the schools to see what their maintenance requirements are and then have a program of works to get on the front foot with some of these things? It is a pretty big thing, when you are in an old school, for the school community to manage the whole maintenance program.

THE CHAIR: Such as Yarralumla Primary School, for example.

MS CARRICK: Yes, and Forrest Primary School.

Mr Matthews: Some of our central capacity is to do some of that asset condition and audit work. We also help schools with, for example, managing hazardous materials. The roles and responsibilities around maintenance are split between the Education Support Office and schools. We have just done a review of something called Module 7, which is about the roles and responsibilities—who does what in that space. In that work, we have been seeing whether any things can be done more efficiently centrally, again to support the work. That might be things like, at a very practical level, playground condition assessments. There are tree audits and those sorts of things—compliance activities that schools have to undertake to make sure that their environments are safe and fit for purpose. They are the sorts of things that we are looking at.

We also do work with school boards—because school boards have an important role to play as well around facilities and assets—to develop annualised plans. We have central funding programs: the Asset Renewal Program and the Repairs and Maintenance Program, which we work on in conjunction with schools. We basically work with our school principals and through our asset teams to do needs identification, and then we distribute funding and deliver works on their behalf.

MS CARRICK: How do you prioritise? Do you have some criteria to prioritise a program of works?

Mr Matthews: There are criteria. Perhaps some of my colleagues, if you want to go into the detail, Ms Carrick—

MS CARRICK: No; I do not want to go into detail. It is comforting to know that, centrally, you are able to identify the needs and have a program of works to sort them out.

Mr Matthews: Yes; we do. Obviously, work health and safety works are critically important and are done immediately. Things that are about asset improvements and upgrades are prioritised on a needs basis. Once you get to a certain scale of work that

fits beyond the funding available for the Education Directorate, we go to budget—for example, for things like roofing replacement programs or heating and cooling upgrades. When you are talking about major asset upgrades, they fall beyond the annual programs that we have available to us. All of the work that we do with schools to identify need is fed into the prioritisation of the resources that we have and advice to government on other priorities.

MS CARRICK: Is that audit available so that the public can see it and the schools can see when their works are scheduled to be done?

Mr Matthews: The annual maintenance plans—and I will throw to my colleagues if I have this incorrect—are certainly transparent at the local school level. We are looking at centralising a lot more asset condition data collection than we have done previously so that we have that available. Again, the idea is that it is transparent to local school communities.

MS CARRICK: Thank you.

MR RATTENBURY: Mr Matthews just spoke about the audit of facilities for the general maintenance program. What is the progress of that? And have you got to all of the older schools yet?

Mr Ackland: I acknowledge the privilege statement. Thank you for the question. As Mr Matthews said, we have the Asset Renewal Program. Specific to your question on progress, in the last financial year we completed 43 of 61 projects. The other 18 have been prioritised to this financial year. Overall, there were also a further 86 inclusive works projects completed in the financial year.

MR RATTENBURY: Thank you.

THE CHAIR: Mr Matthews, you were speaking about the overall increase in funding in the education portfolio. Are you able to tell me how much of the increase under output 1 is linked to new measures?

Mr Matthews: Mr Cocks, I will make sure that I have the proper reference. Output class 1 is for public school education, which is all of our funding. The way our output classes are constructed is that output class 1 is for public school education and output class 2 is for non-government education. The way that the funding arrangements work for schools is that the ACT government pays for 80 per cent of government school funding and 20 per cent is paid for by the commonwealth, and it is reversed in the case of non-government schools. Basically, non-government schools funding in output class 2 is mostly a pass-through. What I am trying to get to is that all of the investment that the territory funds and the initiatives that we are talking about go through output class 1.

THE CHAIR: That is great. You clearly have new commitments in the budget as well, so new activity will be undertaken under output 1. I assume things like public school excursions would be new activity under output class 1. Is that correct?

Mr Matthews: That is correct, Mr Cocks. I will give you some numbers. In terms of

output class 1—that is, government school funding, which includes the commonwealth funding—the total amount is \$1.088 billion in recurrent funding in 2025-26, which is an increase of 5.7 per cent over the previous years. That equates to \$4.561 billion in recurrent funding over four years. In terms of additional funding that has been provided through this budget, there is an additional \$5.34 million in 2025-26 and \$21.329 million over four years. That is new funding that excludes offsets.

THE CHAIR: You have said that there is a 5.7 per cent increase. That is pretty close to what I calculated. How much of that is for growth in ongoing funding for what you were already doing and what is new activity?

Ms Wood: Mr Cocks, we have not calculated that as a percentage, in terms of—

THE CHAIR: I do not need the percentage. Perhaps you could take it on notice and come back with the specific number.

Ms Wood: We are happy to take it on notice. In the scale of investment in public education, the new initiatives are quite small. We are happy to take the proportion on notice.

Mr Matthews: Without having the percentage, as Ms Wood said, the dollar figure is \$5.343 million in 2025-26 in new recurrent initiative funding.

THE CHAIR: Thank you. In relation to the review, I was looking over the media coverage. It says that this review will include looking at the needs of individual schools. Isn't there a record of school resourcing needs already?

Ms Wood: We operate under the nationally agreed framework, which is the Schooling Resource Standard. As Mr Matthews has shared, there is a split between the ACT government's investment and the commonwealth's investment. And, as the minister said at the beginning, currently our schools are funded above the Schooling Resource Standard. In ACT funding, we use Student Resource Allocation methodology. That is how we distribute across our schools. That is based on a range of factors, including a range of considerations of student need and school need.

THE CHAIR: But it does not look at the measurement of need that the new review is going to look at?

Mr Matthews: I think it is fair to say that there is an existing funding formula. To add to what Ms Wood said, the SRS determines how much money; the SRA determines how we distribute that money in a needs based approach. The ACT government has a needs based funding model. There are different components of the Student Resource Allocation that look at need. We do that by actual student population. Going back to what I said before, in about July, enrolments start to be offered for the following year. That is when we know which students are attending schools. We basically give funding for every student who turns up to a school, and then it is based on needs, such as how many students have a low socioeconomic background, how many students have English as an additional language or dialect, and how many students have disability. Those are all additional funding elements that go to a school, based on the student profile of the school.

THE CHAIR: Is that what this review is looking at?

Ms Berry: We do not have the scope of the review agreed to yet. We are still meeting with the representatives of the different stakeholder groups. You might be getting confused about a couple of things, Mr Cock. I understand; it can be complicated. There is the Schooling Resource Standard, which is the big bucket of money.

THE CHAIR: All I am going to is that the coverage says:

... its Advisory Panel would provide independent advice on the allocation of resources within the system, including the needs of individual schools and supports that can be provided centrally.

Ms Berry: That is right.

THE CHAIR: Are they the same needs that we are talking about—the ones that this panel is going to look at?

Ms Berry: That is one of the ideas that might be considered by the panel, but, again, we have not finalised the detail of what the panel will be considering. When I have met with school principals and the Education Union, they have wanted to better understand how the resourcing is allocated. That is some of the work that the Education Directorate has been doing with the school principals and led to the decision to do a review. We want to understand what else we want the review panel to look at, as far as school resourcing is concerned, and how we can make the funding and how schools are resourced better understood.

THE CHAIR: It might be easier if I ask: how is this review going to be conducted? And how will the directorate be involved?

Ms Berry: The directorate will basically provide secretariat support. The individuals who will be represented in the review will be agreed to by the stakeholder group. I have not been here for a week, so a lot might have happened. I have lost a week of my life in education. My intention, when I set up the review, just before I became unwell, was that it would consider a range of things: it would be independent in that it would have a range of experts to understand how the Schooling Resource Standard and the Student Resource Allocation work, but also what happens in individual schools, so that school principals can get the support that they need to better understand the budget requirements for their schools. The review is quite timely—some would say too late—because it has been some time since we looked at the Student Resource Allocation. This is a good way for us to unpack all of that and look at it, along with all of our stakeholder groups.

THE CHAIR: Given what you have just said about timeliness, the report is not expected until 27 February—about March next year. It is seven months away. Mr Matthews, I think you said that a lot of the decisions around needs and funding for the following school year are made around term 3 of this year.

Ms Berry: That is right.

THE CHAIR: So why is this review going to report so far away?

Ms Berry: From our conversations with the Education Union and school principals as well—and we will have more detail on Friday—everybody understands that this is the budget. The budget is happening now. The ACT government budget is happening now; the allocations are happening now. So we could not make changes in a short period of time with a review in any case, because the budget allocation is for the financial year, and schools operate on a calendar year. We could not change things as a result of a review. It needs to be timely—not years—but it also recognises that not a lot can be changed in this budget, because the budget is happening now. That is why we are here.

THE CHAIR: The reason for my question is that the decisions that come out of this will clearly impact next year's budget. By the time you get to the start of school next year, I would assume that the decisions by schools around funding would be locked in for the following year. Isn't this needed to inform the decisions for next year's school year?

Ms Wood: In our work with principals and the work we will do jointly on budget management plans for each school, the starting point is bringing schools back to their existing budget for 2026. We are providing the budget for 2026 and are bringing together all the data, including enrolment in particular, which is a key factor. For 2026, we are working with schools on the current budget envelope. We are looking at what can we do in the short term. Our approach to budget management is to look at what we can do in the short term and the medium term, and to ensure longer term sustainability. The review will be really important for those medium and longer term considerations.

THE CHAIR: I am not sure we are getting much further. We might move to the next substantive. Ms Carrick.

MS CARRICK: Thank you, Chair. My question is about reading in primary schools. How are we going with the discovery type of learning to read versus the structured type of learning to read? And how are we supporting the children who are not learning to read very well?

Ms Wood: Thanks, Ms Carrick. We are in the first phase of the Strong Foundations program, which looks at bringing together a consistent and evidence based approach across the whole system to literacy and numeracy, instruction, learning and teaching. We need to go through a range of steps in building the policy, the tools and the resources for teachers in that. I will ask Ms Spence to speak to what we have done in phase 1 so far and what the next steps are after that.

Ms Spence: I acknowledge I have read and understood the privilege statement. Thank you, Ms Wood, for that lead-in to what we are currently doing. Phase 1 work that is being implemented includes the development of a new learning and teaching policy. That policy will outline specifically what is required in curriculum delivery, our teaching approaches that are agreed to in the system, aligned with the expert panel report, as well as systematic delivery of assessment across all our schools in the system. That policy will outline the expectations for our schools. It is currently going through consultation and will be ready—in the final stages of endorsement—to trial in the latter

part of the 2025 school year. The policy is critical to any kind of change in our system. It is important, together with the work that we are doing around our supports to schools.

Investment has been made in new assessment tools. Last year we trialled, in term 3—around October—the year 1 phonics assessment. It will go into full implementation in term 3 this year. It highlights the focus on explicit teaching in phonics and the check that is required to ensure our children are making the necessary progress, and it will inform any kind of intervention that is needed at a school level, and probably analysis at a system level. In addition to the year 1 phonics assessment, this year we are trialling progressive achievement testing across the system. That progressive achievement testing is in literacy and numeracy in the early years. It is a complementary source of information, in addition to NAPLAN, so that we can continuously monitor our students' improvements in learning. Those particular assessments are across kindergarten to year 10.

The other part to that is to look at the capability of our educators to teach in ways that are aligned to the expert panel recommendations and our new policy. Phase 1 has been around a lot of designing, new professional learnings, procurement, and looking at resources that are available for our teachers, and is aligned to the expert panel report. There have been some new professional learning opportunities provided for teachers in phonics and phonological awareness. That was critical as part of rolling out the trial of the year 1 phonics assessment. That has been implemented as part of phase 1 and will continue to be refined and implemented based on feedback from teachers in that area. We have also focused system-wide professional learning in every school to help understand the expert panel report. You mentioned before discovery versus explicit reading. All of our schools have had access to professional learning and have engaged with what it means to have explicit teaching as part of teaching approaches aligned with that information.

We know that our new educators are critical. We have a large proportion of new educators. As part of our new educator induction program, professional learning has been provided to new educators so that they have the information that is aligned to the explicit teaching of skills in reading before they start in our schools. That is part of that program of works. We are also currently underway in procuring a new offering of explicit teaching to complement other offerings we have to support our schools to develop those teaching practices consistently across the system.

MS CARRICK: If you were the parent of a young child who was not engaging with learning to read very well, what support is there now for supporting those children and parents and the teacher?

Ms Spence: That is a really good question. I think our teachers, as part of their initial teacher education, are trying to make reasonable adjustments based on the needs of any young person before them. I think there is an increased use of data in our schools. We have been introducing new datasets to really understand the needs of our learners, so that teachers can make decisions around the strategies that are going to support their improvements under what we call a multitiered system of support.

One of the pieces of work in phase 1 was to quality assure a series of resources and tools in literacy. One of those was around programs to support the developing of early

reading skills but also what we call intervention programs, where those children who are not progressing as expected have a consistent way in which they can engage in the interventions they need through maybe small group instruction.

During phase 1 of Strong Foundations, the quality assurance process has actually identified resources that are supported by the Education Directorate for implementation in our schools. Our schools have received funding to be able to purchase those resources and tools, including those reading intervention programs that are supported by the system so that they can be used now. But, again, that is also backed in by ongoing professional learning, so that we are addressing those needs now and well into the future under a more sustainable model.

MS CARRICK: Are there extra teachers in the schools that do the learning intervention? Are there extra teachers in the schools that support teachers that might have a disruptive child or a number of disruptive children that make it difficult to settle the class and teach them?

Ms Spence: Strong Foundations, at this point, is looking at the system, resources, tools, supports, data et cetera.

MS CARRICK: So they do not have them now, though?

Ms Spence: I know that Mr Matthews talked about the funding of schools. Our schools are funded to have, for example, school leaders who provide extra coaching and expert support for teachers who may need extra in their classrooms through ongoing mentoring, coaching and monitoring and through teacher observations and feedback. That is one element around capabilities. Our school leaders often perform that function, because they have reduced teaching loads in schools. So the release time that they have is used to support educators in terms of their practice.

Learning support assistants also support a teacher in a classroom for small group instruction. What I mean by that is that sometimes learning support assistants might come into a classroom whilst a teacher works intensively with a small group that might need something extra or more.

MS CARRICK: Do all the schools have learning support people?

Ms Spence: I do not have the specific dataset, but most schools—I am saying all schools—will have some form of learning support assistance that is used in a variety of ways. It may be through individual support for a young person. Maybe that young person requires supports for engaging in learning like a physical disability. They might be able to support that engagement. Also, learning support assistants provide extra support to teachers in the classroom, so that teachers can go between whole group instruction and small group instruction, and sometimes there is more individual instruction when it is really needed for individual children.

MS CARRICK: Is there a document or something that sets out where the learning support assistants are located and what sort of learning support they do?

Ms Wood: Ms Carrick, there is a range of different categories of learning support

assistants who do a range of different roles within our schools. There is probably not one list of exactly what they do. Mr Matthews is coming to the table. Can you speak to the classification of learning support assistants?

Mr Matthews: Yes.

MS CARRICK: I am happy for you to take it on notice.

Mr Matthews: If you like, Ms Carrick, I will perhaps give you some very quick information, and you can see if you would like some more. I think there are 22 sub-delegations of learning support assistants in total, and they are in our enterprise agreement. They perform a variety of different roles, including learning support assistance for specific things—hearing support for example—and it can go through what might be traditionally seen as a teacher's aide role or, as you mentioned before, supporting the needs of individual students to self-regulate and to engage in their education.

In total, we have more than 1,500 learning support assistants in our system—so there is a lot of them, to go back to your earlier question about how many of them there are. So they are a key part of most schools' staffing team and they are deployed in a range of different roles, but primarily either to do specific interventions to support learning outcomes for children on a differentiated basis or to support the wellbeing of those students.

MS CARRICK: Are they deployed centrally? Is it centrally managed, or does each school have to do it on their own, autonomously?

Mr Matthews: It is a bit of both, Ms Carrick. As I mentioned before, we have taken over this year the recruitment of learning support assistants centrally. Again, that was to support our schools and to take on some of that responsibility of doing the recruitment selection of them. But schools determine their own requirements from within their overall budgets about the mix of learning support assistants that they need.

MS CARRICK: Okay; thank you.

MISS NUTTALL: I want to go back to the start of the question when you talked about PAT and the data you were going to get from that and the way that would complement NAPLAN. I note that the data in the strategic indicators for strategic objective 2 are pretty unusable due to the lack of NAPLAN testing. Across the years, what sort of high-integrity data do we have that shows the quality of educational outcomes in ACT public schools? I would imagine it is dependent on year a little bit.

Ms Spence: NAPLAN—which I am assuming you are referring to—is in abeyance at the moment and we cannot release that information until a later point, which is why we are looking at more school-based datasets, so that we can have the accuracy of the data to be able to make those decisions with the kids in front of the teacher at that particular point in time. NAPLAN is only every two years. There is a wider gap between testing points. It was important as part of the work we are doing under Strong Foundations to provide our educators with access to a broader set of data, which is where the progressive achievement testing is coming in and being trialled across all of our schools.

And it will be complemented by other screening tests and formative assessment tools that our schools can use to have the right information in front of them and make the decisions immediately.

MISS NUTTALL: Are those screening tests centrally determined or are they determined on a school-by-school basis?

Ms Spence: Again, phase 1 of Strong Foundations is in the design phase. Those assessment tools will be supported by the directorate. Under the new assessment and reporting schedule, there will be mandated assessments and then there will be a suite of tools as part of that piece of work where schools can make the decision to implement them based on the needs of the individual child. You may need to, for example, do a fluency test at a particular point in time with one student but it might not necessarily be required for the rest of the class, for example. So you know that the interventions you put in place are doing what they need to do and schools will have the flexibility and some of those tools to use them as required to complement the ones that are system mandated.

MISS NUTTALL: That is helpful. So they will have the suite, which is great. Just on those NAPLAN results, I am interested to understand the targets for the equity gap in NAPLAN results for 2025 are simply just the actual result for 2024, and if there was any mind given to set a target for improvement rather than a maintenance of the status quo.

Dr Moore: I confirm that I have read and understand the privilege statement. Thank you for that question. It is a great question. As you might know, the NAPLAN proficiency levels were introduced in, I believe, 2021, and it has really changed our time series from 2023. So it is very difficult for us to develop targets yet on the new proficiency standards. But that certainly does not mean we would not in the future. At the moment, we are using the data that we have available. We are in a situation where we have pretty stable NAPLAN data. But, of course, we do want to improve—and that is the purpose of our Strong Foundations program of work.

MISS NUTTALL: Thank you.

THE CHAIR: I want to ask a couple of quick supplementaries. Maybe, in the interests of time, you might take the first one on notice. Talking about Strong Foundations, I heard you talking about the professional development side of things and the trial and testing new assessments. But there are, I think, 11 action items for 2025. Perhaps on notice could you provide us a quick update on where each one is up to?

Ms Spence: Would you prefer me to take it on notice?

THE CHAIR: It would probably be easier. If you have it there and can run through it quickly, that is great; otherwise, you can take it on notice.

Ms Wood: Yes, we can do it quickly.

Ms Spence: I will attempt to go through all 11—though I might not have the same 11 in order. In terms of the work that is being done, one of the aspects of work that I have

not spoken about was around the augmentation of the data system.

THE CHAIR: Maybe I can just run through them one by one then.

Ms Spence: Okay.

THE CHAIR: A new learning and teaching policy that will enable consistent curriculum, teaching, assessment and support for students from 2026?

Ms Spence: Yes, on track and out for trial at the end of this year.

THE CHAIR: Okay. A system approach to developing school staff that shares evidence-informed approaches to literacy and numeracy? Is that what you have been discussing already?

Ms Spence: Yes.

THE CHAIR: A leadership strategy that focuses on strengthening support for all school leaders?

Ms Spence: That is a combination of the professional learning, but the strategy is in development and on track. It will include the way in which we support the implementation of the different policy settings and different guides in our schools ready for implementation in 2026.

THE CHAIR: Develop, trial and test new Kindergarten to Year 2 literacy and numeracy curriculum support for teachers?

Ms Spence: Yes. That is in reference to the resources that have been made available with funding and the purchasing of those resources.

THE CHAIR: Working with educators and experts to create a new evidence-informed teaching framework?

Ms Spence: That is currently in one of our guides that is supported by the policy. The guide is out with our policy as part of consultation, and we will get feedback ready for implementation.

THE CHAIR: So it is drafted and being consulted on?

Ms Spence: Yes, ready for implementation in 2026.

THE CHAIR: Thank you. Develop a new assessment strategy to explain what, when and how and why assessments are used?

Ms Spence: Absolutely, that is attached to the policy as well and is out for consultation.

THE CHAIR: Can I just check on that one? Is the strategy only about explaining what, when and how and why rather than adjusting any sort of assessment strategy, or is there actually a change to the way assessments are done?

Ms Spence: There certainly is a change to the way assessments are done. For example, PAT assessments were not used consistently across the system. The trialling of the PAT assessments this year will inform the way that that is delivered more broadly across the system as part of a mandated assessment suite. How we use that information to better inform teaching is a key part of that assessment strategy. The guide that is under development and consultation actually provides the information to educators not just about the schedule but also around how best to implement assessment practices across the system more consistently.

THE CHAIR: Okay. Trialling and testing new assessments to see when they are most useful? I imagine that is probably what you have been going to.

Ms Spence: Yes.

THE CHAIR: Trialling new tiered support models in different schools?

Ms Spence: The multitiered system of support—which goes to the questions Ms Carrick was asking—is currently in the design process so that there is a systematic implementation of the multitiered systems of support across the system.

THE CHAIR: Excellent. New workshops and online information for families on how to best work with schools and support their children?

Ms Spence: Currently under development. Again, phase 1 is all about design, and it will not be ready for implementation until 2026.

THE CHAIR: Trialling new approaches to gathering feedback from students?

Ms Spence: Again, that learning commission is in pilot for the rest of this year so that we can gather the necessary feedback around that process so that we can look at full implementation in 2026.

THE CHAIR: And continuing to collaborate with principals and key stakeholders?

Ms Spence: We have ongoing engagement with our principal reference group and we have an implementation partners group which we use for key feedback.

THE CHAIR: Thank you. Lastly, Ms Carrick was asking about explicit teaching—specifically, I think, in the language development in the whole literacy type space. You made mention of some sorts of programs to support individuals and small group programs if they are on an approved list. Is that using explicit teaching as part of that? Or is it entirely up to the schools what they do?

Ms Spence: Mr Cocks, are you talking about the resources and programs to support literacy or do you mean, broadly, the pedagogical approaches we use—the teaching practices?

THE CHAIR: It was mostly in respect to the specific programs that you were mentioning before. But I will ask the question in the context that where we have seen

real success in explicit teaching seems to be where there is a fairly well set down system across schools and across students.

Ms Spence: Explicit teaching absolutely is critical to the teaching of literacy and numeracy. It plays a very important role. The resources that have been quality assured are aligned to the scope and sequence documents that have been developed and provided to our schools, including resources such as decodable text, for example, in literacy. The way in which explicit teaching works in schools is systematic across a scope and sequence, and then the resources and the programs support the explicit teaching of phonological awareness—for example, explicit teaching of fluency as part of the way in which we teach reading. Do they absolutely align with the explicit teaching aspects of the expert panel report.

THE CHAIR: Thank you.

MS TOUGH: I have some questions about early childhood education and possibly for CECA as well—to give Mr Moysey a chance to come up. I want to start off with something specific and then my supplementary will be a bit broader. On Community Day, we heard from the YWCA that CECA runs professional development programs for early childhood educators, and I just wanted to understand how well attended these sessions are and whether it is more often a not-for-profit or the for-profit chains that send their educators and how you engage with the sector to provide these professional development services.

Mr Moysey: I have read the privilege statement and understand. One of our foundational components of the regulatory practice is to have an educator-informed component. That could include the sort of day-to-day things that we might find as a regulator that we want to alert the sector about. We have various channels that we engage with the sector and, since taking on that approach, we have accrued a lot of coverage. We have coverage through our emails, our Facebook and a range of other channels.

Every year we try to do three to four major sessions with the sector, and we have a big symposium at least once a year on a major component and a major fundamental. Traditionally, they are known as sector meetings. We may also do other specific things or work with others to do specific things where we think that there is a specific need.

Part of it is just informing the sector of what we find when we regulate and another part is actually diving deep into the understanding of something. Last year, we had an inclusion symposium, and there was a very deep dive into there. This year we focused on governance. Also, we often ask the sector to come and give presentations about their practice. Under the National Quality Framework, the standards are, in fact, an opportunity for people to apply their imagination about how to implement the standards and provide children with quality care. Also, we do all the obvious things. For example, when there is an outbreak of death cap mushrooms, we do stuff like that. We are always looking for an educative component. But, yes, we do that deep work.

We also do the Quality Engagement Program. That is work that we do with providers. It is really about providers who have services where there is a repeat of working towards services. Part of that is to assist those providers how to do leading improvement, how

to actually analyse what they have got, use the tools that we provide and use the information, and then analyse what they need and have a long-term plan for that.

MS TOUGH: Thank you. Obviously, there is a lot in the media at the moment around early childhood education and care, which would be having an impact on the educators themselves in feeling supported in the system and also on parents wanting to know whether they can trust the system.

Mr Moysey: Yes.

MS TOUGH: What work is underway to balance that to make sure educators are feeling supported as professionals doing a professional and very important role and for the safety of children and the trust of parents?

Mr Moysey: I think the minister has repeatedly expressed confidence that the majority of people are doing the right thing. It is very challenging for regulators and my colleagues around the country as to how we arm our colleagues in the sector with the right tools so they know what to do and how we also ensure that they are not tarred with this notion that everyone is somehow a predator. That is very difficult, but I think we are looking at some national communication to support what the everyday things are that educators can do.

One thing that we have observed as regulators is that the change in the workforce has changed the dynamics between staff who work together. We want to bring back the culture of staff working together. It is not an easy thing to prescribe and to say, “This is what you do,” but we do want to start to get that breakthrough with time reflecting together and building the psychological safety amongst teams to talk about, for example, “Well, that was not great; we did not have a great day today,” and to build that confidence to raise things. There will be more communications coming out. Ministers are considering a range of things, and part of that will be, I guess, building the confidence that we are taking the steps to support the sector to give them the things that they need to do the job and to tackle the challenging parts.

Ms Berry: I think one of things, Ms Tough, that has been talked over more recent time is some of the changes that have been made in the national law. That will then provide regulatory bodies like CECA with more opportunities, I guess, to provide the sector with the support that they need but also provide parents with the certainty that they need that their children are safe.

The changes around reporting of any abuse or allegations in a 24-hour period and mobile phone use in centres are important things, strengthening the work that we are also looking at around working with vulnerable children, cards and checks and national registration of educators. All of these things together will make an impact, I think, but none of those things will make a change to the sector on their own. It is about building on the momentum around the challenges that the sector has faced, which has given us an opportunity to really look deeper into the national law and across a range of different systems that our education services operate out of and how we can strengthen those to support educators to support the health and wellbeing of the young people.

MS TOUGH: You mentioned reporting. We have quite high levels of reporting in the

ACT, which appears to reflect quite a good culture of reporting compared to some other places, though there is probably a lot of under-reporting or non-reporting happening. How do we keep up that good reporting culture and make sure people are aware that, yes, we have high levels but that is reflective of educators and centres doing the right thing rather than trying to hide things?

Ms Berry: Absolutely; and I think that goes to the work that the regulator has been doing to encourage that good behaviour and working with the sector, who are always on journeys of improvement. The same with any other education sector, we are always wanting to do better and strive harder. By working with the regulator, the way our sector does here in the ACT, I think it makes a huge difference to the reporting. We do not want that to be lessened. We want to make sure that people have the confidence to report and know that they are being supported as well by the regulator and the community. I do not know whether you want to add to that, Mr Moysey.

Mr Moysey: I just want to add that one of the advantages we have is our size. By doing the forums and the sector meetings that we have, we build the confidence of having the relationships between the regulator and practitioners that is a human relationship. That, again, goes to the workforce. Continuity is important. The time people have working in the sector not only means that they will have more experience and more time to do those micro courses but also have those human connections so that, when we do have those moments where people have a concern, they see something that is flagged and that there is somebody to talk about that and unpack what is going on. It is probably the hardest bit of work, because the flags and how to unpack them is very difficult. But it is about that confidence that we are not a distant entity—that it is not a paper in-paper out; it is trying to make the human connection.

MS TOUGH: Thank you.

MISS NUTTALL: Just on the regulator's role, I understand they play a really important part in supporting early childhood educators. Part of that are audits as a sort of regular checkpoint to check in with the centre and make sure that centres are meeting the National Quality Standards. With that in mind, how are you going with meeting your target audit frequency? Are you getting to every centre that you need to on a regular basis?

Mr Moysey: For our audits, yes. We have an audit program every year. That audit program is audited itself. It is part of the budget process that we take a sample. It is approximately 10 per cent of all services. That indication of is registered with the directorate's executive, and that is the basis on which we audit against the audits.

At the moment, we would probably audit every service within a three-year cycle. It is difficult to explain the impact of COVID on the actual rhythm of the regulator. I do not think we got back to commencing a full audit cycle until somewhere around the middle of 2023, and then you will see there is an uplift in relation to how many audits we did in 2024.

One factor—and, again, it is the interplay of the workforce and what is happening in the sector—is that we do find our audits are taking longer. So there is more to feedback on, there is more to say and, as I think I have said previously in this room, there are

more rookie errors. There are more things where we go, “What happened here? You need to get your process right.” The mantra for those providers who are not focusing on their staff is that they should be developing their staff every day. Every day it should be about what they are doing to support their staff for the processes and procedures and things they would normally do that should become second nature and how they are building their processes to make sure that, at 4 o’clock in the afternoon, staff are not exhausted and we get into that phase where supervision can be challenging.

That is our program. It is risk-based. The risk process is dynamic. It uses the IT system. All those assessments of where things are at and the things that may come up through complaints or incidents goes into the risk process. So it is risk-based, and we try to make sure that we cover off who we are going to evenly. We also do risk audits and kind of emergency audits, for want of a better term. Risk audits are where an incident has happened and we find we actually need to go and look at that process straightaway and see what is going on there, and we will go out as soon as we can and do an audit on that. Then we have like an emergency one, which is “We have to go now and we will go now.” It is really about what the level of risk is, how present and immediate it is and what controls can be put on in terms of timing. That all goes into the mix of our audit schedule.

MISS NUTTALL: Do you think the level of resourcing is actually meeting the needs—mindful that we have been through COVID and so there might be a bit of a back log of cases and cases are getting more complex and, I would imagine, require a lot more qualitative support? Is the current resourcing you are getting enough to actually meet those obligations and the needs of the sector?

Mr Moysey: That is a question that all regulators get in these forums. We operate within the government context, and those decisions are part of a budgetary process. Regulators always say, “I would love to have more resources”—so, yes, I would love to have more resources. But that fits into the context of the budget and the government’s agenda and context of the day.

MISS NUTTALL: What sort of consultation did you undertake with early childhood educators and providers in the lead-up to your budget measures for early childhood education?

Dr Moore: I can talk to some of those. Obviously the most significant investment in early childhood has been in universal access to three-year-old preschool. We have worked really closely with all of our partner providers. We have around 145 services across the ACT participating in that program. Last year was our first year, and it was really important that we were engaging regularly with the sector to understand how it was working, where the challenges were and what we could do to continue to improve the program. We took all of that feedback on board in terms of shaping up the program guidelines for this year. That has led to improvements in the way that funding is allocated and supporting those services participating in the program.

MR EMERSON: I want to ask about self-reporting. It has been raised with me by a couple of providers who report very frequently and are proud to do so that this reliance on self-reporting obviously it makes sense but we might have providers who do not want to report frequently, and that creates a bit of an accountability gap. Of course, we

have spoken about how that could distort the statistics, where, for example, the place looks like there are loads of incidents happening but they are actually just basic reports and so the place has none because they do not report any. What are we actually doing to kind of proactively check what is going on in those centres? Is that a red flag if you see someone has never reported an incident?

Mr Moysey: Yes, it is, and it is a common factor for most regulators if they see really big absences of reporting. It is one of the challenges for us to explain, because, if you take any cohort of children, particularly zero to five, you will see a range of common injuries that are associated with falling over, bumping into something, hitting heads—everything that you would expect in the normal course of children’s development that would happen.

So, yes, it is a flag if we do not see that. It is a very small jurisdiction. It is very hard to not be noticed—and we do notice. That is part of what we will have a look at. If we notice that, then that is part of the consideration for auditing. Probably why we have such a strong culture of that here is that we were very hard on it in 2016, extremely hard, because there were a lot of things that were not being reported that should have. Knowing the degrees of separation in this community is very small, it is very hard for us to not eventually find out.

As you would appreciate, Mr Emerson, it is not good if something serious has happened. Then there is the expectation that, if it is not reported and it has not been appropriately dealt with or communicated with parents, then it is a double problem. So, yes, it is a flag, and we do pay attention to that.

MR EMERSON: With that audit, who are you speaking with? Are you speaking with educators, the centre managers and the parents?

Mr Moysey: Under the National Quality Framework, the documentation should be complete. In other words, you cannot have one thing without the other. It is a chain of things that all work together. There are instances where parents will complain and say, “I picked up my child and I found this injury,” and then we will go through and work out who knew what when and understand exactly how we got there. So, if it is not reported, then it is a problem.

It really depends on whether it is a service problem, a provider problem, something we see all the time or something that is exceptional. Of course, part of the challenge for us—and, again, this is another workforce issue—is that the clarity of what people are reporting to us and what they say about that is really important. So often we go back and say, “We do not understand your timeline. You need to actually be clear about the timeline, so we can actually be all talking about the same series of events and work out what happened.”

So I would appreciate that those experienced providers who conscientiously, consistently and accurately report it would feel that there needs to be some parity and some equity about that, and that is right. But it makes it easier for us to assess the incident and makes it easier for us to understand. In some cases, providers will just say, “Yes, we had a supervision failing,” and then we will consider whether that goes to a breach or not.

MR EMERSON: Thank you. Just quickly, on the working with vulnerable people cards: we have got this benefit, and the cost we discussed in a prior session, about the continuous monitoring of the cards and cancellations when something pops up. One of the issues that has been raised with me is that I might get a card as a volunteer in a sporting team and then go and work in the early childhood sector, and the government managing the scheme does not know that I am working for an early childhood provider, so my card gets cancelled and my employer does not find out. Is that a recognised gap?

Mr Moysey: Yes. The minister has been working with her colleagues, and we have set up a new set of policies around that, so we will be moving to a “no card, no start” policy very soon, and also setting up an arrangement where providers can report to Access Canberra who is actually working for them, and Access Canberra will bulk-update that registration with those addresses. After that we will move to a more compliance-focused set of arrangements. We need to get some more advice about the register and what can be done, but we are confident that we can move into resolving that problem. It is something that all my colleagues that work in Access Canberra and in the Community Services Directorate with policy coverage of that are all on the same page about with our advice on that. So, yes, we are taking steps, and I understand there are more national conversations about how to make it work better nationally as well.

MR EMERSON: Okay. And on that reporting back, when you have got someone who is on board and is an educator—I understand that we do not have the live verification of card numbers but that they can be verified by Access Canberra if an email is sent. Would that be integrated? I get a new employee, and I say, “This is the card number, can you confirm this is a valid card number and can you also log that now they are working for me?”

Mr Moysey: I would have to take that part on notice, because I really need to confer with Access Canberra about the mechanics of that. From a regulatory point of view, the idea is that we would actually liaise with Access Canberra and say, “Is this the same person who is working here?” so we know we are talking about the same person. So the speed at which we can talk about the same person is critical for all of this.

THE CHAIR: And just confirming: you have taken the detail on notice?

Mr Moysey: Yes.

MR EMERSON: Thank you. A very quick question on this: is it true that the notification of card suspensions is paper based? And, if so, where are they sent? This is for working with vulnerable people.

Mr Moysey: I am sorry; I think you probably have to ask Access Canberra that question.

MR EMERSON: I can do that. Thank you.

THE CHAIR: Ms Carrick, you had a supplementary on this one?

MS CARRICK: Yes. There is some new legislation that has passed the federal

parliament. My question is: how does that impact on you? Is there any cost for you to implement the federal reforms? It talks about greater regulatory alignment across state lines. Do you already have the regulatory liaison across state lines? The question is: will it impact on you, and will there be costs to implementing it?

Mr Moysey: It will be a benefit to all regulators around the country. It will be a benefit of course to us. We have a really close relationship with the Australian government in its different manifestations, particularly around compliance and investigations. We are working closely with them on a number of bigger providers around the country, so we are part of that national work.

This bill is on some of the national work that was done some years ago about joined-up approvals—it was called “the joined-up approvals process”. The idea is that you have got the childcare subsidy as the funding core, and then state and territory regulators doing the auditing, investigating and quality assessment, and yet the same set of providers might be operating in one or many states or territories. When providers want to get access to the childcare subsidy funding, there is a whole process of identifying who they are and what their standing is with all of the things for identity—passports, et cetera—so that they are able to register. Then we ask the same thing over. So what we have done, nationally, is woven those two parts for approvals together. By laying that basis, we have then been able to talk more closely about some of the big providers who are fundamentally not doing the right thing—and we saw some of that experience with Genius and there have been conversations around Affinity and G8—and to work with the Australian government, together, to deal with what is essentially an “aircraft carrier”, across the nation, and to get them to change course and to influence what they are doing.

The Australian government’s proposal takes that to the next level. We essentially agreed that we have got a working set of criteria to assess share of funding for example—what the criteria for that is and what services would fit into that. That work has been done, and there will be some testing of that work, I think, very soon in relation to who will be affected. The criteria, I think, are very helpful, because it does tackle those providers who shrug off getting out of “working towards”, for example. They have done “working towards”, they get rated twice as “working towards” and they say, “Well, we don’t mind staying at ‘working towards,’” but everyone else does. So it is to shake-up that and to get out of that framework. “Working towards” is not the intent, which is continuous improvement. The whole intent of the standard is to lift the whole country up to the standard. I know it sounds strange, but it is designed to be time limited. The idea is that we would lift everyone up to the standard and then move onto the next level of quality, so we are still using the standard to get to a uniform point.

In answer to your question, yes, it is going to be beneficial. It is not any more cost than it would cost working with any other regulators or any other parties. Hopefully that is helpful.

MS CARRICK: Okay. Thank you.

THE CHAIR: I am conscious that it is only five minutes until we are due to take a break, and my line of questioning, I expect, will be longer than five minutes. I will just check-in with the visiting members. Do you have a five-minute question or something

we can deal with quickly, Miss Nuttall?

MISS NUTTALL: I am interested to understand why the target for enrolments of Aboriginal and Torres Strait Islander students in public preschool is unchanged from the 2024-25 year to the 2025-26 year, despite the actual estimated outcome being almost 100 children more than what was in the original target? I believe it was higher by—

Dr Moore: I will just get to the right point—

MISS NUTTALL: It is page 18, I believe, if that helps.

Dr Moore: Sorry, could you repeat the question?

MISS NUTTALL: Why is the enrolment target unchanged between the 2024-25 and 2025-26 financial year, despite the actual outcome being higher than the initial target?

Dr Moore: The Preschool enrolments is an interesting one, particularly for Aboriginal and Torres Strait Islander children, and it takes a little bit of unpacking. Essentially, the target is based on the population figures. The reason our estimated outcome is higher is that we have a number of Aboriginal and Torres Strait Islander children who are accessing multiple programs, so we need to unpack that estimated outcome in terms of how many Aboriginal and Torres Strait Islander children there are in total. When you look at our *RoGS* data, for example, our preschool data, you often see that it is greater than 100 per cent in the preschool setting, and that is great. I believe we are the only jurisdiction so far where Aboriginal and Torres Strait Islander children can access 30 hours of preschool through both Koori preschool and through their local preschool program. So it is a bit of an anomaly of the data, but the target itself is based on the population of Aboriginal and Torres Strait Islander children.

MISS NUTTALL: Got you. Do you ever, essentially, disaggregate to find out if it is in fact the number of children, rather than number of children recorded to access services? Do you know what I mean? Are you able to find out how many children actually are accessing some kind of preschool?

Dr Moore: Yes, we are getting better at that. When we look at preschool data in general, and the Preschool Reform Agreement has been very helpful in this sense, we know that children in the ACT will often access both public preschool and other preschool programs. For Aboriginal and Torres Strait Islander children, because the numbers are so small, that leads to quite significant fluctuations; we are able to tell, for example, how many Aboriginal and Torres Strait Islander children are accessing both our three-year-old, universal preschool program and our targeted preschool program. In the four-year-old space, which is what this measure refers to, we just need to unpack that a little bit further to determine how many of those children are accessing both programs.

MISS NUTTALL: Thank you.

THE CHAIR: Ms Carrick?

MS CARRICK: On that table as well—table 18—for the senior secondary education, the percentage of year 10 Aboriginal and Torres Strait Islander students in public school

who proceed to public secondary college education is down from 92 to 76, and then the same with “d”—“the percentage of year 10 Aboriginal and Torres Strait Islander students in public schools who proceed to year 12 and a public senior secondary college”. The estimated outcome was quite below the target.

Dr Moore: Yes, that is right. That is because in the ACT we took a policy position that we should not set lower targets for Aboriginal and Torres Strait Islander children than non-Aboriginal and Torres Strait Islander children. So you will see the target reflects the same outcomes we were expecting for non-Indigenous students. It really reflects our aspiration for Aboriginal and Torres Strait Islander children. Even though, at the moment, we might not be meeting that target, we are sending a signal that we want all Aboriginal and Torres Strait Islander children to be achieving the same outcomes as non-Indigenous children.

MS CARRICK: Okay. I know we are going to a break, but that then leads us onto the Jumbunna Report—

Dr Moore: Yes.

MS CARRICK: and what your response to Jumbunna Report is.

Ms Berry: That is probably a bigger question—

MS CARRICK: Yes, it is not going to happen now.

THE CHAIR: The committee will now suspend proceedings for a break.

Short suspension

THE CHAIR: We welcome back Ms Yvette Berry MLA, the Minister for Education and Early Childhood. We also welcome back the officials in attendance. We will now proceed to questions. This session I am heading back to those recent reports about overall funding for ACT schools. I do understand the ACT government has announced the establishment of an independent review into school resourcing and that will provide a set of information, but in these questions what I want to try and do is understand some of the facts about how we actually got into this situation and the actions separate to the review. So notwithstanding that review, I want to go to this report entitled “ACT public schools rocked as principals told of budget blowout bombshell,” and that report states that:

Most of the ACT's public schools have run over budget or will be over their budget by the end of 2025 with a union warning the system faced an “acute financial emergency”.

It further states:

“Seventy-seven of 92 schools [are] either already over budget or projected to be over budget at year end,” ...

Minister, as there is no mention or indication of this situation in the budget, can you provide this committee with a bit of a briefing on what the state of the budgets for ACT

public schools is, and how is this acute financial emergency being dealt with?

Ms Berry: I probably would not agree with the description that the AEU has provided in that article at this point in time. Yes, we are experiencing an increase in need across our schools which are going over and above their budgets, and that need has been increasing over the years, probably since COVID. It is probably unusual for the community to hear the numbers now, but the Education Directorate has been seeing this number increase, probably since COVID, for a range of different reasons we think. We can unpack a bit of that across the review work with an expert panel and working with our stakeholders.

There will oftentimes be situations where schools will be spending above and beyond their budget, where the Education Directorate has stepped in and supported the school. It could be for a range of different reasons that the school has found themselves in a situation where their own budget could not fund the need that they had. What we are seeing is that need—even though we are funding our schools more—we are still seeing the need increase. If there is anything more you can add?

Ms Wood: Minister, I might just add that the directorate manages the total funding envelope, so the schools' budget is a line item within that broader envelope. The Education Directorate has managed those pressures and so the directorate as a whole was on budget for 2024-2025. So this work now with schools, looking at school budgets, is really ensuring that we are unpacking what those pressures are in a very analytical way to understand them so that we are looking at sustainability in the longer term. There is work we can do now and then there is more work that can come following the review that the minister has indicated.

THE CHAIR: Sorry, just quickly on one factual matter before we get to that. Is it incorrect that 77 of 92 schools are either over budget or will be by the end of the year?

Ms Berry: That is not incorrect.

THE CHAIR: Sorry?

Ms Berry: That is not incorrect. It is true.

THE CHAIR: Right, okay. Thank you. Mr Matthews, I think you were going to add something?

Mr Matthews: Well, just a couple of things building on what the minister and Ms Wood have said. Basically, just to be very precise about one term, we are projecting schools to be over budget. Nobody has spent their full year budget by the halfway mark of the school year. Schools are projected to be over budget by the end of 2025 school year on the basis of their current staffing level. So that is what we have been looking at and that is how we have been working with schools.

Both the minister and Ms Wood have said that that situation has been the case for the last three years, that there has been an overspend by schools, or let us call it cost pressures from schools for the last three years, and that has increased each of those last three years. There are a number of reasons for that. I mean, the union, principals and

other stakeholders will talk about the pressures and demands that they are experiencing, and schools are school communities, at the end of the day. We have 92 of them through Canberra. They are all different and unique. They have some common characteristics but also very local characteristics. The demand drivers include an increasing complexity around student need and that is where we are seeing additional investment being supported by the Education Directorate into schools.

We also have declining enrolments across our system, and I mentioned that earlier, that we are at least part-funded on a per student population basis. We have had declining enrolments over the last three or four years. There has been national coverage of that issue, including on 7.30 last week. It is something that is happening nationally and there are some demographic issues involved in that. The declining enrolments that we have had are in the early years, so in the preschool and the beginning school years, and they are largely demographic. There is a smaller demographic of children that were born prior to the commencement of their schooling year, which is a demographic bubble that will flow through all years of schooling. So we will have a slightly decreased sort of population as that level goes through schooling. That is the declining enrolments.

There is a very small change in what we would call the affiliation rate. That is where people choose to go to non-government schools over public schools. So those are factors around the level of enrolments that public schools have. And again, as I said previously, there is an element where schools are funded on the basis of their actual enrolments, but then the other side of it is the need side of it. Schools are very committed to meeting the needs of all students and want to be very responsive to their community needs, and that is where they have experienced some financial pressures as well. So those two things in combination are some of the drivers you might have been referring to, Mr Cocks, and they have been occurring over a number of years in a gradual way.

The Education Directorate, for example, met some cost pressures of just under \$26 million last financial year. Against a billion dollar budget, that is a relatively small amount and it takes into account a range of different fluctuations of local need. This coming financial year we do not have the capacity to continue to meet growing demand pressures within schools, despite the fact the government continues to invest in public education. They give and allocate over a billion dollars to public schools. The ask for 2026 is for schools to operate within their budgets wherever they can, and that is the work that we will be doing with them through term 3 this year.

Ms Berry: In addition to all of the things that Mr Matthews has said, there is also, since COVID, an increase in unplanned leave across our school system over the years because people just are not going to work when they are sick, which is appropriate, and that is leading to some costing pressures for individual schools as well, who sometimes—it feels unfair—cop more than their fair-share of unplanned leave and sicknesses.

Mr Matthews: That is a very important factor, Minister. Thank you for raising that too because we have obviously been encouraging all of our school communities not to send their children to school when they are sick; COVID and then subsequent to COVID. Of course, many of our teachers are parents as well. We have a highly feminised workforce and they still do take the majority of the caring responsibilities. So that is one of the factors, in combination with personal illness and caring responsibilities, which has increased the number of unplanned leave days that we have had per school. That is one

of the staffing challenges that schools do have, is making sure they have replacement staff to meet those gaps.

THE CHAIR: Okay, so just quickly, you have sort of indicated this is not an acute financial emergency and that this situation has been building since COVID, which in itself is a bit concerning that it has not been addressed yet. My question is, Ms Wood, you said that you have managed within the directorate to meet those costs. Where has the extra funding come from to meet these costs?

Ms Wood: We have managed that by adjusting internal line items, the internal budget, around priorities, so obviously prioritising meeting the demands in schools. I mean, that is something we do every year, we have to manage the global budget, and so that has been over the last several years as these cost pressures have grown.

THE CHAIR: So what has been reduced to see the increase to the schools?

Ms Wood: There will be a range of things that maybe were slightly delayed, or there might have been some delays in recruitment. It is a range of those kind of things that we manage to be able to meet this cost pressure. I think we are taking this action now to really try to bring those cost pressures down because it has grown to a point that will not be able manage within that envelope and so that is why we are starting it now.

THE CHAIR: You said that there were \$26 million last year. Can you provide, and I am happy for it to be on notice if it needs to be, a breakdown of where that \$26 million came from?

Ms Wood: Mr Cocks, it sort of is not quite that clear because there will be delays in programs where there is a small underspend; there will be some delays in recruitment. It is an accumulation of funds that are directed towards that cost pressure so it is not quite as clear as, “We took money from this particular bucket to fund this pressure.” There will have been adjustments over the last several years as well.

THE CHAIR: At any stage did you brief the minister with options to meet that financial shortfall?

Ms Wood: We briefed the minister about how we are managing the cost pressures and we have been part of a whole-of-government process around that as well.

THE CHAIR: So presumably you would have provided the minister with some information on where that money was coming from, to move it to meet—

Ms Wood: We have briefed the minister on the cost pressures and our capacity to manage it which comes from, as I said, a range of different areas.

THE CHAIR: Has it been 100 per cent met from internal to the directorate?

Ms Wood: So at the end of the last financial year, yes. We had a supplementation under section 16A of the Financial Management Act, which is about employee entitlements, but we did not require a Treasurer’s advance.

THE CHAIR: Okay. At any time since COVID, which is when it sounds like this started, have you had to rely on the Treasurer's advance?

Mr Matthews: Yes, we have. In previous years we have accessed the Treasurer's advance. Again these numbers are—when you talk about \$25 million, obviously that is real money, however, in the context of the overall education budget, we are talking two to three per cent of our budget. There are always unexpected cost pressures that emerge during a school year so what we do is we monitor our budgets extremely closely. We keep Treasury informed and, of course, the minister and the government more generally, and as required, we can go back to the government for specific supplementation. So we did receive a Treasurer's advance in 2020-21, 2021-22 and 2022-23, but not for the last two financial years.

Ms Wood referred to a section 16A instrument, and I could get extremely technical there, but it is the way the budget estimates leave liabilities. So again, when you think we have an employment base of almost 8,000 staff, what the budget does is estimate what they think the pattern of leave usage is going to be and gives us an allocation for that. The section 16A instrument allows us to go back and get an actual reconciliation of taken leave based on actual usage, which is the variation between the budget and the actual amount that we have to pay for leave. So these are all technical adjustments. They reflect the fact that we are a very people-focused business and that, again, year-to-year across a workforce of that size, there can be variations and that is reflected in these available instruments.

THE CHAIR: No, I appreciate that. What I am trying to do is get to the heart of, if this has been a problem since COVID, which was some time ago now, how is it that the budget projections have not been adjusted to take account of that and make sure schools have the funding that they need up to this point?

Mr Matthews: I think the issue of the references to COVID—I think we would all understand the significant impact on our community generally but also children were going through very key developmental parts of their life where they were under lockdown or remote learning et cetera. What we are finding, and our principals are telling us, is that that has a behavioural impact. So the reason for raising that, Mr Cocks, is that we are still seeing the developmental impact of COVID on children as they grow up and as they continue to age, and that is something that we are still experiencing and monitoring in real time. So the government has means for us to be able to go back and seek funding supplementation where that is required and those are the mechanisms that we have been using against that overall budget envelope.

THE CHAIR: I certainly appreciate the impact of those long-tailed impacts of COVID. I was sitting on a school board when we had to go through that and it was very visible that it was going to be a long-term impact that we had to deal with. What I am trying to get to the heart of is, if there has been a trend that has seen an increase above what the budget projects over multiple financial years, why have we got to this point and not made that adjustment in the funding provided to schools to make sure that they are able to operate within their budget?

Mr Matthews: Mr Cocks, I think, again, the variations that we are talking about are relatively small against the overall education budget, but I would refer back to my

earlier comments about the enrolments as well. So with the enrolments, the changes in enrolments which have the demographic drivers essentially decrease the availability of funding on a per-student basis for those schools, but it is not done in a uniform way. So just to give you an example of that, a hypothetical school might have an enrolment reduction of 25 students, which could be the equivalent of one or two staff members, but it is not a uniform reduction. It can be a few students in year 2, a few students in year 3 and a few students in year 5, which has an overall reduction of those student numbers, but does not change the staffing requirements for that school.

So that is where it is not always possible for us to go back to each of those individual schools and say that the per student capita funding can be achieved. So we work through that with our individual schools and, as I mentioned with the budget management plan work in term 3 of this year, that is exactly what we will be doing. We will be looking at the staffing profile, the curriculum offerings and the year groups that schools are planning to put in place for the 2026 school year and make sure they have funding appropriate to meet those requirements against their budgets.

THE CHAIR: Okay, what was the total projected—I will say overspend, across all public schools for the—I think this is the 2025 school year that we are talking about, is it not?

Ms Wood: Yes, so currently projected is \$43 million on that school budget line.

THE CHAIR: So that is a pretty significant increase from the \$26 million that you were talking about last year.

Ms Wood: Yes, that is right.

THE CHAIR: Are schools going to have to make the millions of dollars in savings it is going to take to actually get that to balance into the next year?

Ms Wood: As Mr Matthews has said, we are working through the 2026 budgets with schools and developing budget management plans with schools. We will need to look at the individual circumstances of schools, and there is a range of different factors that are contributing to these cost pressures so we really do need that sort of individualised analysis and planning. The intention is to move back to budget in 2026 but, as Mr Matthews has already indicated, that will not be possible for all schools, so we will work with them on getting back to budget over time.

THE CHAIR: So what changed this year to go from \$26 million to \$43 million?

Ms Wood: Mr Cocks, that is why we are doing the detailed work with schools. So as we have indicated, this has been a slowly growing pressure and there has been a range of monitoring and management of that over the last couple of years. It is not that this has not been focused on. But we are now at a point where, to ensure that we do not end up with a very substantial problem, we are seeking to really get very analytical, really work with schools to unpack what the drivers are, what the contributing factors are, and what are the options, using the best expertise we have across the system. It is not just the education support office at the centre doing this work. We are doing it with principals and we are using the expertise of principals as well. So that will help us get

to the best solutions and it means that different schools can learn from each other as well in how to manage the budget most sustainably.

THE CHAIR: We are talking about a 65 per cent increase in that overspend number this time. I am just trying to understand, was there any change in the way that the directorate works with schools, or with what the schools are responsible for, or the amount of money provided to schools, that contributed to that?

Ms Berry: I think there has been a range of changes that have been made across the directorate and across our school systems over the last few years since COVID but some of the issues that have been—

THE CHAIR: Well, this is a one-year effect that I am talking about.

Ms Berry: Sure, but it is as a result of a number of years of changing circumstances. When we talk about schools spending over their budget, that will happen from time-to-time, as I have said. Nobody is saying that that will not ever happen because schools are dynamic places and circumstances change and the bucket funds a school based on what you know at a point in time.

But things can change where you will need additional funding or, as Mr Matthews said, we have less children entering in our early years, which means there were less babies born, so it means we have less younger children. In the earlier years of that school, that hypothetical school that Mr Matthews was describing, they would have had, say, two extra staff. Well, they cannot just cut two staff off their staffing budget when their school demographic changes. There are industrial relations laws that come into play then about how we manage school staffing across the system.

Those kinds of things are happening more and more often now, so we need to understand what that looks like on an individual school basis—that, the unplanned sicknesses, the complexity within a school community, and other school pressures that we might not know about—and also allow for pressures that come that nobody can predict or understand or know. So whilst there are budgets in place for our schools, they cannot be hard and fast because our schools are dynamic.

We have to be able to manage it in a way that everybody understands across the system that every school is getting equitable funding based on need and that we understand that schools are funding their school communities in their most sustainable way as well. So it is not black and white. It is not easy. It is more complex than that. I get what you are trying to get to, Mr Cocks, but it is just not that simple. It is not something you could say, “Right, well, we are not going to do those things anymore, we are not going to employ LSAs anymore to recover our budgets,” because that is impossible. We cannot say that.

THE CHAIR: I am sure you will be able to see where I am coming from, but it looks very similar to what we have seen in health, where we have a number of years of building pressure and then all of a sudden it looks like a crisis that we have to suddenly start dealing with.

Ms Berry: Well, this is the proactive work to avoid a crisis happening.

Mr Matthews: Minister, there are some numbers that have been confused, if I can, just to correct the record. The Education Directorate, on a financial year basis, in 2024-25 was able to accommodate \$25.9 million worth of cost pressures. The school year, as we mentioned, is different to that. So the projected school year for 2025 is \$42.9 million. The actual outcome for 2024 was \$32.5 million. Just to give you an indication, students with disability funding, for example, as a reflection of our commitment to meet the needs of all of our students, has increased from \$72 million to \$75 million in 2024.

So as I mentioned before, the best summary way of describing this is we have some challenges around declining enrolments and also increasing complexity. They are the two things that we are working through and responding to the needs of all individual students. As the minister said, we want to work with our schools, understand these drivers on a school-by-school basis so that we can have the best approach.

Again, I would reiterate that this is less than four per cent total of the Education Directorate budget, so in terms of the language and the quantum of demand drivers that you were talking about before, I think it is important that that context is on the table.

THE CHAIR: You just gave me a percentage of the education budget. Maybe on notice, you can give me it as a percentage of the schools' budget?

Mr Matthews: I can give you that, 23.9 per cent I think is the answer, of the schools' budget, and I think it is 3.6 per cent of the education budget.

MR RATTENBURY: I wanted to ask about capital works at a couple of schools, in particular Majura Primary School. I see from the budget the program has been—I do not know if stalled is the right word—I wonder if I could get an explanation of exactly what is happening at Majura Primary School, please.

Mr Ackland: Thank you for the question, Mr Rattenbury. In the last, most recent two months, June and July, the directorate has been both consulting and communicating with the school board. As you may be aware, the original commitment was for a modernisation and expansion program of works, but that was based on previous enrolment growth for the school that was going to exceed the capacity of the current school. Based on some of the information that Mr Matthews, the minister and Ms Wood has just provided, that enrolment growth is no longer predicted to happen at Majura, so the revised scope is now a modernisation project, no longer an expansion. We are currently considering the feedback that has been received by the school community and we will be in a position to respond further shortly.

Ms Berry: Mr Rattenbury, just for clarity as well, the Majura Primary School project has been handed over in recent months to Infrastructure Canberra. So I think the last—well, it is not the last part because we will always be engaged in the communication and consultation with the community—but the last significant round of consultation was with Infrastructure Canberra, the school board and the P&C, so we can probably update you to that point. Then maybe if there are more questions on the actual detail of the project Infrastructure Canberra might be better.

MR RATTENBURY: I appreciate that clarification. I have a couple more questions. I

think they will fit within your remit. We will see how we go. Otherwise, I can pick them up later. On the consultation, it was reported in the *Canberra Times* that it was delayed twice, and that certainly accords with what I have heard from the parents. The consultation that took place in June 2025. Was that led by education or by Infrastructure Canberra?

Mr Ackland: Infrastructure Canberra.

Ms Woods: But education was a partner in it.

MR RATTENBURY: Of course, that makes sense. Essentially, was that to tell them about the change of scope?

Mr Ackland: I would need to take that on notice.

Ms Woods: Yes, that was to talk about the change of scope based on the changed enrolment projections and the focus on modernisation.

MR RATTENBURY: So how much money is now available for the modernisation element of the project?

Mr Ackland: I will just get the numbers for you.

Ms Woods: While Mr Ackland gets the numbers, I think one thing that we are always conscious of in all of the infrastructure projects is that we start with a funding envelope and a scope and then we need to look at whether that scope fits within the funding envelope, and there may be future processes of government if the scope exceeds the envelope to consider what could be done now and what now may be part of a medium or longer term plan.

Mr Ackland: I would need to take those numbers on notice, too.

MR RATTENBURY: All right. The other thing that I wanted to ask is what is the scope of the project now? I take your point, Ms Woods, that there will be some consultation, but what is the starting point for the scope of the project now?

Ms Woods: The conversation with the school board that Infrastructure Canberra led but education partnered in, was about the focus on modernisation. Subsequently the school board has written setting out their prioritisation of modernisation. So that is something that will then feed into the scope and design work for the project, but there is a range of things that can fit within modernisation, from really basic updates of carpet and paint to heating and cooling, to upgrades of facilities like gyms and bathrooms. It could be a range of things.

MR RATTENBURY: Certainly the heating and cooling is one that has been brought to my attention by the school community. I might go on, then, to Lyneham High School and the program for the upgrade of the gymnasium. Minister, I noted your response to the petition of 562 signatures that you sent on 8 July. The petition raised a number of very specific points around not meeting the National Construction Code standards for run-off distances at the edge of the court; known to have a school assembly; 300

students doing PE at one time; and population growth in the inner north. Your petition response did not address any of those particular points. Are you able to address some of those points now? If not, what is the best way to get some more detail, because it was a very thoughtful petition put together by the school community and it did not get much response, frankly?

Ms Berry: I understand that the construction code was met at the time of the build of the thing. I think that is what I put in my letter. As to the issue that was raised in the petition around the growth in student numbers, I thought I had addressed that in the letter but, if I have not, the predictions that we have for that part of Canberra is that there will be lower enrolments and that enrolments are occurring within Shirley Smith School, and that that is where people are heading within that priority enrolment area. So Lyneham is not seeing the growth that we had previously thought.

The commitment that was made by the government at the time was to do an upgrade of the existing facility. I accept that there has been commentary around the potential for a brand new school hall. But the election commitment that was made was for an upgrade. So we have not reneged on that that particular commitment. Sorry, what was the other part to the question?

MR RATTENBURY: There are issues around 300 students doing PE at one time and not being able to actually have the entire school together for a school assembly. These are the—

Ms Berry: There is not a policy within the Education Directorate for a facility of that size within each of our schools. So that is not a policy question. But I understand the students and teachers and others that might want to have events where they can have that number of students in one place at one time under cover. I understand that, and I understand the school's aspirations.

It is an aging school. It has had some makeovers over a range of years, and I have part of those announcements and commitments in the past. Again, this is a commitment that we have made for this period. It does not mean that in future periods the school will not be able to work with the Education Directorate and, indeed, the government on other things that they might require or want in future years. But the commitment at the moment is for an upgrade for that particular facility.

So my message to the petitioners is that their petition has not gone unheard of. I get that the response is sometimes a bit bureaucratic and a bit straight, but I am happy to meet with the school and the school community about their aspirations going forward.

MR RATTENBURY: Thank you. Lastly, I want to ask about Canberra High School. They have also put forward a petition about air conditioning in the school. I want to know whether there has been any movement on the air conditioning situation at Canberra High given the concerns raised by that community.

Ms Berry: I understood that somebody from the directorate went down and met with the school.

Ms Woods: Yes; that is correct.

Mr Ackland: Can I add a little bit of detail, Minister?

Ms Berry: Yes.

Mr Ackland: Thank you for the question, Mr Rattenbury. As I understand it, the directorate has been able to provide approval for an initial part of heating and cooling for Canberra High. That is prioritised based on particular learning areas; it will not meet the entire need of the school. But we do have the Heating and Cooling Investment Fund, which has a prioritisation across the entire system. So the remaining learning spaces will be considered as part of that.

MR RATTENBURY: Is it at all inefficient to do it in two goes?

Ms Wood: It is a question of prioritisation. As well as looking at heating and cooling specific infrastructure, part of that conversation with the school is also looking at the range of things that can be done to improve ventilation, improve passive management of temperature, windows, blinds and all of those things. So they come in with a holistic view and identify where specific heating and cooling is prioritised. But we can look at the whole school as well in the longer term.

Mr Ackland: I have some further information on Majura, if it would be helpful.

MR RATTENBURY: That would be helpful, thanks.

Mr Ackland: For the line item, the amount is \$18.918 million over the period.

MR RATTENBURY: Thank you. The original rate was around 37, wasn't it?

Ms Wood: I do not have that with me.

MR RATTENBURY: That is all right. I will look that up somewhere. Thank you.

MS CARRICK: I want to go back to the Jumbunna review. It highlights systemic racism across a range of portfolios. It recommends systemic racism reviews, and there are a range of recommendations for the education portfolio. Will you be able to find the resources to participate in systemic racism reviews? I would imagine that they would be reasonably extensive.

Ms Wood: Ms Carrick, I think the approach to the response to the Jumbunna report will be through a whole-of-government process that education is participating in—and Mr Stirling can speak to that work. I think what the review highlights for us is a range of things that are really consistent with the change we know that we need to deliver under our Closing the Gap commitments and the ACT Aboriginal and Torres Strait Islander Agreement.

A whole range of work has already happened in the directorate towards those goals. But I think Jumbunna and the Indigenous-led review of closing the gap are showing that a step-up in effort is certainly required. That is the work that we are doing in not only looking at our own levers and our own opportunities are but also very much part

of the whole-of-government work that Mr Stirling is representing us in.

MS CARRICK: There are a range of recommendations around suspensions, working with the police and working with families. Do you have a plan? There will be a whole-of-government review, but then there will be stuff that the Education Directorate has to get on and think about too. Have you started initial thinking about how to address the Jumbunna review?

Mr Stirling: We are taking on multiple different avenues to try and address a lot of these issues that were brought up in the Jumbunna report. We are setting up an initial working group with Aboriginal and Torres Strait Islander staff and also with the community to try and bring together, I guess, a panel of sorts which will lead into the Executive Governance Committee on actions and key items, so that we can come up with a long-term strategy to really deliver the items.

MS CARRICK: And it will not only be about the Education Directorate but also about families and working with the Community Services Directorate. Have you had conversations with them around the wraparound support to presumably address their recommendations and your own? The families are a key part to all of this.

Mr Stirling: We had a meeting last week with CSD around collaboration and working with some of the Aboriginal and Torres Strait Islander community to work in collaboration across government, so that we are going out together and working out areas where there are gaps that we can both lean in on and support.

Ms Wood: Ms Carrick, I would also add that we have some existing models within Education that do take that broader view of young people within their families. The Waruga Yardhura program sits within our flexible education offering and already has a community reference group that is very engaged in. That program works really hard to get children who maybe have had very low attendance and getting disengaged from education back into education. Their whole model is based on working with families. They recognise that you cannot do that work with children individually; you have to do it around the family.

So we have some models that really give us a good base to look at how we build from. The Koori Preschool is another great model of that really early engagement and engagement with families as well.

MS CARRICK: Have you done any work around Muliyan—the school in Woden. That does not have a home. My understanding is that they are trying to find accommodation for that. How is that progressing?

Ms Wood: Muliyan is also under our flexible education banner.

Ms Berry: Muliyan was one of my initiatives, and I am pretty proud of it. But the need has expanded, and I think we recognise that we need to do more in that space. We have changed and evolved in the way that we offer flexible learning. So it might not be in a school setting and it might not be at Muliyan; it might be a combination of those things, including at home or in community. Understanding that working with students, young people and their families about what is the best way that education works for them

means that we have to be flexible, and that requires some expertise as well.

Jumbunna has opened our eyes up to a range of things that we have maybe missed or that we have not paid enough attention to. I know that our schools are absolutely committed to this work. But we are doing a lot of things that we should be proud of and we should point to. The Koori Preschools is a great one. There is Muliyan, our flexible schools and the way our schools are embracing Aboriginal culture. But, again, we are still facing this 200-year-old issue, which we just still have not been able to get on top of yet. I do not know, Ms Spence, if you wanted to add anything.

Ms Wood: Ms Spence can speak to flexible schools.

MS CARRICK: I would be curious to know where you think that there are gaps in areas that you have not paid enough attention to. Where do you think they might be?

Ms Spence: We have the Jumbunna report that will work across government and we have also committed to undertaking a review—which is currently going through procurement—to get proper analysis around demand, where the gaps are and what we need to do moving forward. That will review our flexible education offerings for Muliyan as well as the Waruga Yardhura service, because demand is increasing for both of them. This is absolutely in line with national trends. So it is important for us, as part of that review, to look at what is happening across different jurisdictions who are also looking at reviews in this space and then learning from that and considering our service offer.

I think one of the other things, in addition to the review, is that, through our funding under the Better Fairer Schools agreement, we know that there is a gap in the way in which we support young people coming out of our youth justice system and the way that we are reconnecting them back in with education. So we have invested in extra staff to support the transition out of youth justice and back into education, be that through Muliyan or some alternative education that is relevant for them, to enhance, I guess, that service offering as they bridge between Murrumbidgee School, which in the Bimberi Youth Detention Centre, and back into programs such as Muliyan. But that is not enough, and we know that we need to look further to look at what else we can do and what the impact is of the way in which we are working currently to address that growing demand.

MS CARRICK: Are you working with the ACCOs and the other First Nations organisations that are out there?

Ms Spence: Yes. Mr Stirling can probably talk to that, but that is absolutely one of the areas of work that we need to continue to strengthen. While we have representation of community and various ACCOs on different reference groups, we know that that is an area that we need to continue to improve. So there have been some early discussions with some ACCOs that we know have expertise to be able to support this work.

That is in addition to the development of a new mechanism, where we are actually looking at models of engaging community to represent and be a part of our decision-making in terms of our programs, policies and services. That will be new. Curigo were engaged to do consultation on how we could improve in that area, and we are currently

looking at the recommendations of that report to develop a new mechanism to improve that voice of community in decision-making.

MS CARRICK: Do you have any timeframes with the procurement that is underway?

Ms Spence: Is this for Muliyan?

MS CARRICK: Yes.

Ms Spence: Yes. We are expecting to get a final report for flexible education in approximately late January-early February.

MS CARRICK: Thank you.

MISS NUTTALL: I understand that there has been a reduction in capacity overall for the Muliyan flexible education program. What similar services are in place right now for students that would have benefited from Muliyan but can no longer go?

Ms Spence: In terms of our numbers at Muliyan, whilst there are 15 young people on the Muliyan site, we are providing an outreach for those young people that present with complex educational requirements through different settings. So they are still receiving that education. Currently, actively, nine young people are accessing outreach, with 15 actually on site at our Muliyan site.

So, in total, when you combine Muliyan and outreach, we actually have 27 young people receiving support through that flexible education offering. Our current service provision is for 30 students. We have had to diversify the service offering, because some young people, to get better educational outcomes, need a different offering that is trauma informed and is based on where they feel safe and can engage successfully in that.

MISS NUTTALL: Was part of that also because of physical building restrictions? Would there be space for more than 15, for example, on site if there were young people whose needs would better be served in that sort of small group setting?

Ms Berry: Sorry, I think I have said we need more. We absolutely need more—and happy for you to recommend that.

MS CARRICK: What about the CIT that has just been built there?

THE CHAIR: We will let the officials respond.

Ms Berry: Every system is facing this challenge of more complexity. Mr Matthews talked about some of the consequences of COVID that we are still facing. But there is no one-size-fits-all. We have been able to be really innovative in the ACT, but the number of students in need has grown. We have been more flexible with how we have approach this. It is not necessarily a physical space, but that definitely helps.

Ms Wood: I think, coming out of this review, we will be in a better place to plan what the infrastructure accommodation needs are. As the minister said, it might not just be

one space; it might be different kinds of spaces in community for different kinds of learning. That then gives the flexibility to manage the complexity of the cohort of young people.

MISS NUTTALL: But, in the meantime, for that cohort that is going through that might not be able to access Muliyan—and I appreciate you have 30 places in total—are there other services that you are essentially comfortable referring young people to, even if they are not necessarily ACT government services? I know Communities at Work has—the name of it escapes me, but—

Ms Berry: Galilee?

MISS NUTTALL: Yes, the Galilee School and some of the services. Do you have that sort of map right now?

Ms Spence: We have a targeted support team, which works with schools and works with their student services section to look at the services and supports that those young people may be able to access. Some of those are led through various organisations, such as PCYC. There is a range of services. But I think it is also about the way in which our targeted support team works with schools so that they can make the adjustments necessary and design the educational programs for those individuals based on their particular needs at that point in time.

MISS NUTTALL: Thank you very much.

MR EMERSON: Is there currently a waitlist for the flexible education program?

Ms Spence: In the last panel that was conducted, three students were taken as part of the intake. We do not actually have a waitlist; we do panel processes.

MR EMERSON: Like referrals?

Ms Spence: Correct. Any young people that were not a part of that intake are supported through our targeted support team, because they obviously need more targeted supports. That is done through their home-based school environment, and looking at other external services. So we do not hold a waitlist; there will be another panel process as spaces become available, based on the resourcing that we have. That is why we are doing the review to actually look at the demand and consider what the needs for the future are.

MR EMERSON: So, if the three children were accepted, how many applied or how many were referred during that recent panel process?

Ms Spence: I do not have that on me, but I might be able to get it very quickly.

MR EMERSON: By the end of the hearing or something?

THE CHAIR: So you will take that on notice?

Ms Spence: I will take that on notice.

Ms Berry: I think it is important to understand, though, that the panel process is not just, “Sorry, we have got no room.”

MR EMERSON: That was going to be my next question, yes.

Ms Berry: It looks at each student’s needs, and it might be addressed in a range of different ways depending on the student, the family and the school context.

MR EMERSON: Prior to the shift in the structure, were there 30 places at Muliyan and then off-site outreach, flexible education offerings? Or was it just all at Muliyan and, if you were not there, it did not work, and so we split it into 15 at Muliyan and 15 at outreach?

Ms Spence: The outreach program is new. Because of the complex needs of young people, they had to adjust the model so that they could cater for young people that could not access Muliyan. So the resource allocation to deliver that service was then diversified to be able to have a part of that as outreach. Some of the young people from outreach, following an engagement in education, may then be able to come back into Muliyan. It could be other educational pathways. But certainly it is new, in order to be able to adjust to the different complexity that was presented to education.

Mr Stirling: It also picks up a cohort with the minimum age of criminal responsibility changing. It was introduced around that time.

Ms Spence: I can now answer your question. We had 12 referrals for the last panel.

MR EMERSON: The next one might need to be taken on notice. It kind of goes to Minister Berry’s point. Can you indicate the reasons for the nine? Were there capacity reasons, was it because it was not the right fit or is it always because it is not the right fit?

Ms Spence: It would be a combination of reasons.

MR EMERSON: Can you provide a breakdown, maybe on notice?

Ms Spence: Yes, we could probably provide certain generalised information—not, obviously, the personal information of young people and their circumstances. All of that is taken into consideration.

MR EMERSON: If it is helpful, maybe you could do the last few referral panels to make it like a larger dataset and give a general sense. I think it would be helpful.

Ms Spence: We can take that on notice.

MR EMERSON: Thank you.

MS TOUGH: I am interested in teacher professionalism and support. Obviously, we are in the midst of a teacher shortage across the country, and often teachers talk about workload pressures and burnout. I am just wondering what work is being undertaken to

address workload pressures, ensure teacher retention and reduce issues of burnout while supporting teacher wellbeing.

Mr Matthews: Ms Tough, thank you for your question. Education is a people business, so we only achieve what we want to achieve through our educators and other staff and those people feeling engaged and feeling like they are on top of their jobs. I guess it starts with our enterprise agreement and the conditions that we offer our staff. The last couple of enterprise agreements have put ACT teachers at the top of the pay scale in the country.

Also, increasingly, we have been looking at workload issues within that. Included in the last enterprise agreement were additional pupil-free days, which allow teachers to get together and undertake that professional learning and planning, and also guaranteed release times, so that staff can undertake the planning work. One of the strongest bits of feedback that has come back from our principals and our education union is that the teaching profession is a learning profession and, in order to meet the needs of all of the children that we have in our schools, teachers need to be able to engage in that learning but also in that planning work to make sure that they can apply the Australian curriculum appropriately to the class that is before them.

The other thing that we introduced in the last enterprise agreement was the Sustainable Workload Management Committee, which has representation from principals, the Australian Education Union and, importantly, classroom teachers and other school leader positions, as well as representatives from the directorate, to really look at the drivers of workload. We have been working on a number of different fronts in that Sustainable Workload Management Committee. For example, we have been looking at how we are considering workload implications for the Strong Foundations initiative and what the workload considerations are if we want to be able to release teachers to focus on engaging in that new professional learning and new teaching approach and how we might be offsetting those through the other workload that we have been doing. We have also focused on other areas like assessment and reporting and just making sure that we have got good guidance for schools around that workload.

The drivers of workload are complex to unpick, as I am sure you understand, because the schools are incredibly dynamic environments and the day-to-day pressures vary so much. But we want to make sure that we have got real clarity around what we are expecting of our teachers, the role of the teachers—that, again, is also codified in our enterprise agreement—and how we are using other staff to support the work of teachers. Again, I do want to call out the importance of those staff members, our learning support assistants, our business managers and everybody else that works in the school environment.

Increasingly, I think there is a view that we are moving towards the idea more of a multi-disciplinary team. Again, the AEU have a catchcry that we happen to share with them, which is, “Let teachers teach; let leaders lead”. I guess it is really acknowledging the training and the expertise that our educators are bringing to their jobs. Principals have a really complex job—and, again, I shout out to them as well. They are really managers of medium-sized enterprises, if you think of it like that. They are managing staffing issues and they are managing facilities and the like. I mentioned earlier in today’s proceedings some of the work that we are offering to take off the hands of

principals—some things that can be done more centrally. We started that with school cleaning several years ago and doing that centrally. We are doing more work in the building services offices space and providing more direct service delivery.

We have a climate survey that we do every year. That is a survey of staff, parents and students. In those surveys, for the last couple of years, we have had questions specifically on workload. To be really honest, we are still getting strong feedback from our staff that they are finding the workload pressures really high. They want to meet the demands on the community and of their individual students and they are working really hard to get there, but they just do not have enough time and are running of minutes in their day to do everything that they would like to do. We talked about how a lot of that is around some of the drivers of the post-COVID environment and student complexity.

But the positive news is that, year on year in the first two years that we did that survey and asked those specific questions is that we saw a reduction in the reporting of workload pressures. But, just to be very clear for yourselves and for the public—if they are watching—we certainly are not unveiling a “mission accomplished” banner here. We have a lot of work to do to think about how work is organised in the schools and really engage with our communities about what they are expecting of their school communities.

We have another round of enterprise bargaining agreement that has formally kicked off. So we will continue to work with unions and other staff representatives to keep looking at workload. We acknowledge that pay and conditions are critical, but workload is the thing that is really going to keep people in the profession. Again, we saw a spike of staff separations during the COVID era, which was really challenging, particularly in that environment of the national teacher shortage. But that is starting to come down. Also, we started this year with the fewest number of vacancies we have had on record, as such. So we are working hard on the recruitment side and the retention side.

The other thing that we done a lot in the enterprise agreements space is around new educator support, recognising those early years of teaching as being so critical to people honing their craft but also feeling good about their work. There are mentoring programs, designated spaces in individual schools and extra release time. All of those things are so critical.

It is absolutely core business to look at how we can support staff and reduce workloads. We are very explicit in all those comments conversations. We have an objective to reduce workloads. That is the goal that we are working towards. It really is a question of how we get there on multiple fronts, whilst continuing to provide excellent education to the community. It is far from the finished exercise, but I think we have done a lot. We really value our relationship with the Australian Education Union, as the employees’ representatives, as well as our school leaders. They know their school communities and they know how to run their schools really well. So we are receiving that advice and looking at the system side of it and what we can do to make that better.

MS TOUGH: Thank you. You mentioned early support for teachers starting out in their teaching career. I know a few years ago it was being discussed that a lot of teachers hit that five-year point and left the system—left being teachers. Have you seen that early

support help retention in those early years and get people past those five years of teaching and stay as teachers?

Mr Matthews: Yes. The evidence shows that it is making a positive impact. We look at separations by years of experience, and we have certainly seen some good results in those early years. The other end of the spectrum is equally important, in terms of keeping really experienced teachers in our system—and I know that that is a priority of the AEU as well. But, yes, we are seeing a really positive impact from those new educator initiatives.

I think it would be fairly widely acknowledged that we have seen good results from that investment and that we need to look at it across the spectrum, including the caring responsibilities that teachers themselves have, which I have already mentioned today. That is such an important part of being a family-friendly workplace and making sure that we can support our staff as they deal with all of the things that are going on in their lives.

MS TOUGH: Thank you. You mentioned those teachers at the other end, the more experienced teachers that are probably getting closer to retirement age. How do we keep them in the system for as long as we can—obviously noting that they probably want to retire at some point? But how do we keep those teachers—

Ms Wood: No; they are not allowed to retire!

Mr Matthews: There are several things we can do there. Some teachers step down to take on casual roles as they get towards the end of their career. That is still a really important and valid opportunity. Obviously, pay is a significant issue there, and we did increase pay for the most experienced teachers in the last enterprise agreement. Again, it is just a lot of those workplace flexibility initiatives as well. That sort of age cohort are often in the sandwich generation of supporting children as they are becoming adults but also supporting their aging parents as well. I think that our principals find really good solutions to offer some good workplace flexibility for that cohort. And it is something we need to do more of.

MS TOUGH: Wonderful. Thank you.

Ms Wood: Chair, I have an update on a question on notice taken earlier, by Mr Moysey. In relation to the question from Mr Emerson about the process of working with vulnerable people checks, Access Canberra has also taken that question on notice and is providing a formal response.

THE CHAIR: Thank you. Mr Emerson, we might go to you, because you did not get a chance last session.

MR EMERSON: Thank you. I want to ask about disadvantage in our schools. I was looking at some recent analysis by Dr Jordana Hunter, the education program director at the Grattan Institute. She said that, based on the latest NAPLAN data, year three students whose parents did not finish school are on average more than a year and a half behind in reading, compared to students whose parents went to university and that by year nine the gap has grown from a year and a half to more than five years. The budget

mentions among some of the directorate's priorities for this year ensuring students who are experiencing difficulty learning in relation to literacy and numeracy are provided with tiered supports. What does that look like right now in our schools? Do we have small group tutoring available in our schools?

Ms Spence: Schools would currently be looking to implement multi-tiered systems of support—which Grattan refer to often—regardless of our Strong Foundations program. What we are looking to do through Strong Foundations is modernise and systemise our approach to what we call multi-tiered systems of support. The best way to describe that is when we go from whole class instruction to small group instruction to individualised instruction. Often people refer to “extra tutoring”. We talk about it in the context of instruction.

As part of the system approach in Strong foundations we are looking to implement in 2026 a more systematic approach to implementing these multi-tiered systems of support. In previous comments to Ms Carrick, we talked about how our schools have experts in their schools—it might be school leaders or learning support assistants—to support teachers when they need to adjust their delivery model to include small group or even individual instruction based on the young person's needs. Schools currently implement that model, but there is variation in how that is being implemented, which was one of the findings in the expert panel report.

Our program is looking to design a systematic way of doing that across our 93 schools so that we know that every young person is actually receiving the necessary adjustments based on the needs of the learner, be that in literacy or numeracy et cetera. That is also complemented by quality-assured resources, so that schools have a more consistent way of implementing programs to support smaller group instruction or individualised instruction as needed.

MR EMERSON: Okay. Can you help me understand the difference between small group tutoring versus small group instruction?

Ms Spence: I cannot comment Jordana Hunter's version. But, when we talk about instruction—and this is in the tutoring—it is actually the instruction that you give to a young person to meet their individual needs. Some people, because of the way we describe “tutoring”—extra tutoring at home, I am going to call it—people get one-on-one tutors. The way we describe the instruction from a school's perspective, it could be a small group, because you might have a small group of children that require the same type of intervention. Whereas, with individualised instruction, there are fewer kids that would fall into that category. But, from time, that might be what is needed to support a specific bespoke program for a young person who is not learning as would be expected based on the data in front of a teacher.

MR EMERSON: Okay. So, practically, they are the same, but you prefer not to use “tutoring” because that implies offsite, outside of the normal sort of school hours?

Ms Spence: Correct.

MR EMERSON: Okay. When that happens—I mean, what we are working towards in terms of uniformity—is that happening within the classroom and you have a small

group that is kind of separated within the existing classroom or are they pulled outside of the classroom, or is that the variability that you are talking about trying to not overcome but address?

Ms Spence: Yes, it really is based on the needs of the individual children in that class at that particular point in time. Teachers are well equipped to do adjustments for more small group instruction in their class times. But, from time to time, you may need to pull children out of the class together with, say, an expert school leader who does a targeted intervention program over a period of time. When I say “pull them out”, it is in addition to their core learning. It might be different children from different classes, because often we have schools that might have four year 4s, for example. So they bring them together because they all require a targeted intervention. It really is based on the needs of the students in that particular class at school, and they need to be equipped with the resources, the tools and a framework, I guess, to be able to do that, based on those needs that are being presented on that site.

MR EMERSON: In terms of what is happening in schools now, do you have any data on whether there are any public schools across the ACT that are not able to offer that small group instruction?

Ms Spence: I probably do not have any particular evidence or data, but the expert panel report did have findings that there was variability in how that was implemented across the system, and hence the recommendation to have a system approach to multi-tiered systems of support. Schools are constantly making decisions around how they adjust based on the availability of expert staff, because we want our very best doing the supports. Sometimes a teacher might do the small group instruction; they might combine classes, for example, with one teacher doing targeted small group instruction and another teacher having a larger group doing the universal instruction, so they mix that up. Getting the evidence around how that looks across every school is probably not something we have available, because it changes depending on the young people in each class.

MR EMERSON: Yes, okay. When it comes to rolling out those changes, you need to be across what is happening currently in order to do that, right?

Ms Spence: Yes, so—

MR EMERSON: Do you see what I am getting at? I would want to know—“Okay, we have got 30 schools that are doing this brilliantly, but we need to focus on the others”—however many it is, 60-odd or something.

Ms Spence: Yes.

MR EMERSON: Do you see what I am getting at? Because I think—

Ms Spence: So apart—

MR EMERSON: We hear different reports from different parents and carers and, obviously, with budgetary things, people worry: “Now my school is not going to get that thing that I know my family friend’s child is getting and the support that we want

to make sure our kid gets.” Do you see where I am coming from?

Ms Spence: Yes, absolutely. During 2026, when we start implementing the design work that is currently happening—the work being done in terms of the expert coaches that will be supporting our schools—that will then provide some of the assurance and supports for implementing a more consistent approach to multi-tiered systems of support. Probably the other part to that, and I am sure Mr Huxley could talk more to it, is around our student-centred improvement framework and the way in which we do school improvement visits and school reviews.

One of the elements of that particular framework is looking at learning and wellbeing outcomes, and part of that process is to really look at the systems and structures in place and then the capability of our staff to be able to support differentiated approaches based on student need, and looking at the data for that as well. Mr Huxley could go into more detail around how we capture that as part of the way in which we work with individual schools in a cycle, but in addition to that, when we are implementing the multi-tiered systems of support, what that looks like through implementation in the way that we gather the information as part of the Strong Foundations program rollout will be included.

MR EMERSON: Okay. If we are going into more detail, I have a final supplementary question around wellbeing. Does this multi-tiered support approach extend to social and emotional wellbeing? I think it also comes back to some of what we have heard in the Jumbunna review. Kids are struggling for all sorts of different reasons. Perhaps you could provide some detail on that, if that is okay.

Ms Spence: Yes. Absolutely, a multi-tiered system of support does address what I will call the academic learning outcomes and wellbeing outcomes. The way in which we provide, in our schools, education services that are universal in nature is the way a majority of children will access universal teaching and learning, whether that is about wellbeing outcomes or whether that is about academic outcomes, and then adjustments are made based on those who may require something different or more. In the wellbeing space, this is where you might have targeted programs in schools where young people might be getting extra social-emotional learning lessons, or they might have mentors on the school ground to help them with regulation, for example, which is in addition to what they get as part of a universal offering around social-emotional learning programs that every young person in a school would get, so it does hit both sides of the learning and wellbeing outcome space.

MR EMERSON: Okay; and that will become more systematic next year as well?

Ms Spence: Yes.

MR EMERSON: Is that all part of that rollout?

Ms Spence: Strong Foundations is around the learning outcomes. We are currently reviewing the Safe and Supportive Schools Policy that looks at the tiered supports in our schools. The team under that policy review are aligning changes to that policy and our service support so that it aligns with the systems approach to multi-tiered systems of support.

MR EMERSON: At the same time?

Ms Spence: Roughly, yes.

MR EMERSON: Thank you.

THE CHAIR: We will go to you now, Miss Nuttall.

MISS NUTTALL: Thank you. I am interested in chatting about provision for schools in the Belconnen area. Master planning for a new Belconnen primary school is one of the directorate's infrastructure priorities, showing the government does believe there is a demand for a public school in the Belco town centre. We know that as children age, they will need a high school. I am interested in understanding why there is not any planning for a public high school, which is a core government service in the town centre—such as is the case for Woden—especially when the closest public high schools and colleges to the Belconnen Centre are either at or approaching capacity. I am interested in if there is planning for a high school, and if not, why not?

Dr Moore: Thank you, Miss Nuttall. At the moment we are looking at a primary school. We are doing a feasibility study with UC looking for a potential primary school site. At the moment, our population projections are not indicating that we will need a new Belconnen school, primary or high school, over the next decade, but, obviously, we know that we need long lead-in times. The starting point is looking at primary school, and we, obviously, take a district-wide approach when we are looking at demand and the ability to meet the capacity within any of our regions. At this stage, the projections are not indicating that we need a new high school or college in that space, but we certainly are looking at a primary school, and that was one of the government's election commitments that we are commencing this year.

MISS NUTTALL: I am interested in the basis of a decision to do a primary school and not a high school, because if you are going on population estimates, you would imagine that you would need school capacity for the full range of schooling. Why start with a primary school but not do a high school as well?

Dr Moore: We are starting with primary school because of the way the Belconnen town centre is growing. We are seeing a lot more apartment buildings, which can often take more families with younger children, and, typically, older children, have more capacity to travel on buses and transport routes, so whilst the capacity pressures are not there at the moment to warrant a primary school, or a high school or college, it is critical that we plan for a primary school in the sense that it is more difficult for children in that age group to be catching buses out of a town centre.

Really it is very early-stage work to look at the feasibility of whether a primary school site can be identified, and then we can look at what that would look like in terms of flow-on. As some of the other population projections are showing, we see that bubble effect, so as children and young people move through primary school, we will then, obviously, need to plan for where they go to high school and college, but we take that district-wide approach. It does not necessarily mean that because you build a primary school you will need a high school, but we will look at that as the decade goes forward

and we look at the population projections at the time.

MISS NUTTALL: Got you; thank you. And given that Strathnairn primary school is delayed, and there are a number of other schools that Education is considering, such as the Belco centre public primary school, what assurances or learnings have you taken away from the process to ensure that planning for new schools occurs without delay and that future schools are able to meet the deadlines?

Dr Moore: We are working really closely across government. Obviously, the work around identifying sites starts very early, and we work with the SLA around identifying those possible sites. We have really got clearer over the last few years, as we have built schools and experienced delays, about how much lead time we need from the time a site is made available for the building of a school to the time that we can see that school opening.

Things like we have seen at Strathnairn, with a phased opening, actually work quite well, because it helps those children who are already enrolled in local schools; they do not have to change at that midpoint. In Strathnairn, for example, we started with those younger years so that they are starting fresh in those early years and then they can move through. We have a whole range of enrolment levers that we use initially to manage those delays, if we do experience those delays. But I think the most important part has been getting a lot clearer around how much time we need to build schools, and that is taking into consideration things like supply issues and the extended timeframe it is taking for construction often as we get into sites that might have different requirements around, for example, trees that need to be protected and that kind of thing. So it is better planning and better understanding the timeframe and working earlier with SLA on how we meet those time frames.

MISS NUTTALL: Got you; thank you. I note that, anecdotally, we have heard that families have been forced to enrol in schools further away or in the private education system and that has been the case for a lot of families around Strathnairn.

I am interested in understanding if the additional funding in this year's budget for Strathnairn school includes facilities such as an oval for the school to use.

Ms Spence: Miss Nuttall, this is now an Infrastructure Canberra project, so they can go into the detail of the design.

MISS NUTTALL: Is there a view from the Education Directorate on whether Strathnairn should have a school oval?

Ms Berry: It does have one—well, it will have one.

Dr Moore: Yes, it is really about the phasing. When it is completed, it will certainly have one. It may not for year 1, as I understand it. But in terms of the point you were making, Miss Nuttall, about access to other schools, Kingsford Smith School is the school that those children have been in the priority area enrolment for, and there is certainly capacity for any of the children in the area to attend that school, including those who are now also able to access Strathnairn.

MISS NUTTALL: Thank you. That is helpful to know. I am hoping this skirts into the Education Directorate's domain: do you know whether the oval will have a timed fence to allow the public to use it outside of school hours?

Ms Berry: Probably some kind of thing, yes. Our schools are schools first, that is the priority. Outside of school hours, of course, we welcome the community's access to those facilities. They are multi-million-dollar facilities, and none of us like seeing them empty or unused, so, yes, there will be some kind of thing. As to what it looks like in the however many years that the field is built, technology could take us anywhere.

THE CHAIR: Ms Carrick?

MS CARRICK: People have walking school buses. Do you have a policy on how far primary school children should walk, or on up to how far it is appropriate for school children to walk?

Dr Moore: Not so much. We do certainly consider—

Ms Berry: Not barefoot in a driving snow like we all did!

Dr Moore: It is less about how far they need to walk, but we do consider things like crossings and safe roads. When we are looking at priority area enrolments, we do look at things like arterial roads, so high speed roads where there is lots of traffic. Obviously, for a primary school we want to make sure that there is a safe place to cross, so we would consider that as part of our priority area enrolments, but not necessarily distance.

We always aim to have the school closest to the child's home. We always try to keep whole suburbs within a priority area enrolment as far as practical, so we have some guidelines for how we make those determinations, but it is not a number of kilometres, or that type of thing.

MS CARRICK: Yes, fair enough. Some of them are four kilometres each way; a primary school kid cannot walk that far, so they get driven.

Dr Moore: Yes.

THE CHAIR: On behalf of the committee, I thank you for your attendance today. If you have taken any questions on notice, please, provide your answers to the committee's secretary within five business days of receiving the uncorrected proof *Hansard*.

Short suspension

Appearances:

ACT Audit Office

Harris, Mr Michael, Auditor-General

THE CHAIR: We welcome the Auditor-General, Mr Michael Harris. Please note that as a witness, you are protected by parliamentary privilege and bound by its obligations. You must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. As we are not inviting opening statements, we will proceed to questions.

Your *Report No. 10/2024* examined the Safer Families Levy and it found weaknesses in targeting and transparency. I wanted to check in and see if you know how many of the report's recommendations have been fully implemented, partially implemented, or are outstanding at this stage. Do you have an update from the government? I am sorry, I know that I am going to a very specific one.

Mr Harris: It pains me to say that I cannot answer the first question I have been asked, Chair. I do not know the answer, but I will find out for you.

THE CHAIR: I am happy for you to take it on notice.

Mr Harris: I will take it on notice.

THE CHAIR: No, that is not a problem. What I am interested in as well is—

Mr Harris: Can I—

THE CHAIR: Yes?

Mr Harris: I can say one thing, the government were quite supportive of the recommendations in the report and to the best of my knowledge they did make an undertaking to adopt at least the majority, if not all, of those recommendations, but how far they have got, I do not know, and I will have to check for you.

THE CHAIR: Okay, and I am sorry, I cannot recall, would you usually conduct a follow-up to check on implementation status?

Mr Harris: We do an annual report for the Standing Committee on Public Accounts and Administration that follows up on progress on recommendations and we do that report in the second-half of each year. The timing usually is in order to have that report complete before the annual reports hearings.

THE CHAIR: Yes, thank you, I do recall now. What I am really interested in, as I said, is apart from the Safer Families Levy, do you have any other territory levies scheduled for an audit over the next three years? So that is things like the Large-scale Feed-in Tariff, the Utilities (Network Facilities) Tax, the Police, Fire and Emergency Services Levy, or any of those different charges?

Mr Harris: The closest one we have in the near future is concessions, rebates and social

support schemes. That is on the program at the moment and we have started scoping that one. The forward—

THE CHAIR: That is still in a scoping stage?

Mr Harris: I think scoping is just about finished. It is reasonably well advanced and that will be tabled sometime in the next 12 months. The forward program does contemplate a couple of audits in relation to power tariffs and batteries and things of that sort, but not quite to the extent of feed-in tariffs that you just referenced. As with all of these exercises, when a question like that comes up, for example, we will put that into our database and keep it on the radar to examine it.

THE CHAIR: Have you or your office provided any advice to the treasury or the public accounts committee on improving the whole-of-government reporting and performance reporting for levy revenue and expenditure? That is a broad question.

Mr Harris: I do not quite understand the question.

THE CHAIR: I guess at a high level, have you looked into the issue of how levy revenue and expenditure is reported in the budget? For example, with the Safer Families Levy, one of the proposals that floats around periodically is having it tied to a specific account or that level of management—

Mr Harris: Hypothecated.

THE CHAIR: Yes, that level of budget management so that it is very clearly, as you say, hypothecated?

Mr Harris: The broad answer is no. I do not give advice to the government. I make recommendations about matters and they can either choose to accept those recommendations or not.

THE CHAIR: True.

Mr Harris: Indeed, it is beyond my remit to give advice to the government. We do in relation to audits, if you like, assess against established criteria and set criteria, which is what we did with the Safer Families Levy. So in that case there was a particular set of statements made in relation to how that levy would be spent, and it was effectively how it was or was not spent against those criteria that we examined as part of the audit. So to the extent that we do similar audits with other levies where there are tied arrangements we would make recommendations, but I think, certainly in recent times, the Safer Families Levy is the only one in that category that we have done.

THE CHAIR: Yes, it sounds like there could be broader lessons learned from your recommendations when they are presented to the government.

Mr Harris: Yes.

MR RATTENBURY: Following on from the observations you made to Mr Cocks about that annual tracking of responsiveness, I had a broad question around how you

find the accountability of the ACT public sector in response to your reports?

Mr Harris: Less than adequate.

MR RATTENBURY: And why do you say that?

Mr Harris: Because the tracking report, if you look at it over—I think we have done three now. There is not as diligent an effort as I would have expected in most cases to follow up. It is difficult in many instances to actually gauge whether or not progress has been made or how much progress has been made. So the reporting is not as fulsome as it could be.

MR RATTENBURY: Why do you think that is? Do you think it is budget constraints, or just too busy, or—there is a range of possible reasons.

Mr Harris: At a broader level I think in many cases diligent public servants are diverted from core activity by less important things, less core activity. I think, to put it another way, there is a great deal of activity going on across the ACT public sector and keeping track of all that, reporting on it on a regular basis in an informative way, is a time-consuming and costly effort.

MR RATTENBURY: The other thing I want to ask about is, do you have an anticipated timeframe for the report into the Phillip pool that you are undertaking?

Mr Harris: Phillip pool has, I think, just finished scoping. They are in the research gathering phase at the present time. I would expect tabling somewhere in the next six to eight months, is my guess at this point in time.

MR RATTENBURY: Thank you, that is the level of update I expected. That is fine, thank you.

Mr Harris: Sooner if we can do it.

MR RATTENBURY: Of course.

Mr Harris: We have about 12 audits on foot at the moment, which is high for us.

MR RATTENBURY: Busy program.

Mr Harris: Yes.

MS CARRICK: Mr Harris, you do performance reports and you do financial statements, but are you aware of there ever being—apart from the—who is the mob that did it for us?

MR RATTENBURY: Pegasus.

MS CARRICK: Pegasus. They have a look at the budget, but has anybody else ever had a look at the budget, because there is no audit of the budget.

Mr Harris: No.

MS CARRICK: Has anyone looked at the administration and performance of the budget?

Mr Harris: Do you mean in the ACT or in other jurisdictions?

MS CARRICK: Yes, in the ACT.

Mr Harris: Not to my knowledge.

MS CARRICK: Do you think it would be a worthwhile thing to have a look at the budget?

Mr Harris: Other jurisdictions, including the commonwealth, have what they call a Parliamentary Budget Office which partly does what you just talked about. Auditing a budget is not an easy thing to do because, and I speak from experience as an Under Treasurer, the budget process itself is an iterative exercise to do a variety of things at the one time. One is to embed within financial policy the various commitments that governments and parliaments make and the other involves a range of assumptions about a wide variety of variable factors. So if I put my strict auditor's hat on, it is difficult to say that the budget process and therefore the budget is an auditable topic. The other challenge in auditing a budget is the defining line between policy and audit criteria, a line which I go to great efforts not to cross.

MS CARRICK: Yes, I suppose it is not looking at the policy decisions that the government makes because they are the government—they are allowed to make it—but looking at things like the underpinning assumptions for some of the metrics that they use for economic things or the sustainability of the forecasts or the—

Mr Harris: Well, treasury is required, if my memory serves me correctly, to put out a pre—it is only at elections, isn't it—an assessment of financial circumstances?

THE CHAIR: Pre-election, yes.

MS CARRICK: Yes, PEFO, yes.

Mr Harris: I think in the jurisdictions where they have a Parliamentary Budget Office, the Parliamentary Budget Office does a similar exercise in relation to the budget assumptions on an annual basis. So that would go partway to what you are talking about.

MS CARRICK: I guess it is also the adequacy of the reporting arrangements because there are appropriations at the outcome level which creates this big bucket of money, and then there is millions of initiatives, but there is no sort of middle ground programs that they report on, that they assess. So with the Wellbeing Framework, I am not sure, I struggle to see the value of it.

Mr Harris: Again I think the activity you are talking of is not quite at the audit office level of activity, but it is somewhat removed from the treasury level of activity.

MS TOUGH: Mr Harris, I imagine you get multiple public suggestions about what kind of inquiries to undertake.

Mr Harris: Lots. All the time.

MS TOUGH: Yes, you know, obviously what is happening in the Assembly and all sorts of things are out there as suggested topics for inquiries as well as the ones you already have to undertake. How do you decide which ones to undertake and program into your broad plan and are you resourced to undertake the ones you need to undertake each year?

Mr Harris: We gather as much information as we can about what is happening around the place, what is of interest to the community, what is of interest to MLAs. I speak regularly with MLAs. We get representations; questions like the Chair asked just a little while ago. All of that we put into what I like to call a database but in fact is a glorified spreadsheet. Over time that gives us patterns of activity, patterns of references, if you like, and the more something comes up, the more interested we get.

So at any given time we have something in the order of 80, maybe 90-odd, subjects that we think at some point might be worth an audit. We will refine that down. We do a little bit of preliminary research. The teams, amongst themselves, will debate the validity or otherwise of those subjects for audit. Some research will fix our minds. Sometimes I get a bee in my bonnet about something and if I can persuade the team that it is a good idea, then we will do it. I tend not to exercise overriding authority on those matters. So it is a process of refinement and research that eventually gets us to something that gets on the program. I have to say, from time-to-time we will have things drop off the program where other more important things come up out of the blue that we had no knowledge of.

MS TOUGH: Yes, and when things drop off do they get pushed further down the program or—

Mr Harris: Yes, yes. I think in the seven years I have been here, I think there are two, from memory, that we have dropped altogether simply because they became irrelevant over time. I guess if you keep finding yourself pushing something back and back and back, then you have to ask yourself the question, is it worth pursuing?

MS TOUGH: Yes, fair enough. How many roughly do you undertake each year?

Mr Harris: We have a rolling three-year target of 27. I think last year we did 10 or 11. We certainly hit our rolling three-year target and, as I said, we have 12 audits at the moment that are on foot and we have another five or six that are coming through the process as well, as well as the forward program itself.

MS TOUGH: Are you resourced fine to reach that three-year rolling target?

Mr Harris: At the moment, yes. Our budget is in pretty good nick. We had a top-up about three years ago which was on the basis of an under-resourcing that had been built into our budget. That was rectified, but it was rectified on a three-year basis on the assumption that we would prove that we could deliver that program. We did deliver that

program so that resourcing has now been embedded in our base, so I am appreciative of that.

MS TOUGH: Wonderful, and I just wanted to mention, being your last estimates, are you prepared to hand over to the next Auditor-General? Is everything in train?

Mr Harris: I am prepared to hand over, yes. There is not one yet.

MS TOUGH: Yes, no, there is not.

MR EMERSON: They are not prepared.

Mr Harris: Not that I know of, anyway.

MS TOUGH: They are not prepared; they are not prepared.

MS CARRICK: There is still annual reports.

MS TOUGH: Yes, yes.

Mr Harris: There is still annual reports.

MR EMERSON: In your recent report on *ACT Government long-term plans and strategies*—going to Ms Carrick’s point from earlier—you concluded that:

There is little evidence of the *ACT Wellbeing Framework (2020)* being used by directorates as a framework to facilitate measuring performance.

Do you have any evidence that the current framework as implemented in budget processes is changing budgetary decisions?

Mr Harris: No.

MR EMERSON: I know that there was a recommendation in the report around this, but are there further measures that need to be taken to ensure that it is reflected in budgetary decisions and in policy evaluation more broadly?

Mr Harris: I think my colleague in New Zealand has the onerous task of auditing the wellness indicators in the New Zealand budget. I indicated in an answer to Ms Carrick earlier on that the public service is stretched with a whole range of things that it is required to report on. I sometimes think there ought to be perhaps a re-evaluation of the things that are the most important. I am not saying wellness is not important; it is. But I think a continued approach of embedding these things in legislation is stretching the public service to an extent that it is perhaps not able to concentrate on key measures, as opposed to—I guess I would describe it as must-haves as opposed to nice-to-haves.

MR EMERSON: On the point about long-term planning, there are 55 plans and strategies that you assessed across ACT government directorates and found the longest to last 30 years, the ACT Water Strategy, which is probably a good one to have last a long time. You are an expert on good governance. Did you anticipate finding more

longer-term strategies?

Mr Harris: I would have anticipated stronger accountability and performance measures and indicators, and yes, I would have expected to find more longer-term strategies. I think that proliferation of strategies surprised me. I had not expected that many. And again, it comes back to my earlier comment, I think a concentration on the key ones might deliver better outcomes. So again, it is must-haves as against the nice-to-haves.

MR EMERSON: One of the things that—you know, I often get feedback from community members and they say that they feel like ACT government is really good at developing policy and not great at implementing it. Is that kind of the point that you are going to there?

Mr Harris: Yes, kind of.

MR EMERSON: Yes, okay. In terms of timeframes then, we have too many strategies. If we had a few good ones that we implemented, and say if we just had a really core education strategy, a core health strategy, what would be the kind of timeframe that you would recommend in the, you said, must-haves areas?

Mr Harris: I think there is a tendency to—and this is not just the ACT jurisdiction. It is a criticism that is made by my colleagues in other jurisdictions, about many jurisdictions—a tendency to too-readily replace a strategy with a new strategy after a short period of time. I think, as you say, some key ones that have longer timeframes with set objectives. If you go back to the original theory of outcomes and outputs, outcomes are things that change society over time. Outputs are the things that contribute to that change in a short space of time but make a contribution over a longer timeframe.

Key strategies probably should relate to four or five key areas and then closer consideration of how the outputs are contributing to those outcomes ought to be an important objective. Embedded in that should be more clearly identified objectives and certainly more clearly identified performance measures that are measurable, that can tell you whether or not you are making progress towards changing those outcomes.

MR EMERSON: Lots of head nodding, for the Hansard, from the committee members. Yes, thank you.

THE CHAIR: I might just quickly supplement on this because I think it is a very worthwhile area for discussion.

Mr Harris: Perhaps exceeding my authority, but, nevertheless.

THE CHAIR: Perhaps, but I think it is worth observing. There have been a few comments made on the number of strategies. To what extent would you observe the strategies that are developed are strategic in nature versus more akin to operational plans?

Mr Harris: I think the report itself suggested that the majority were more operational in nature than strategic in nature. I also think, at the end of the day, it is the community

that pay for everything, essentially, through the tax regime, and I think it would be a useful exercise to actually ask the community whether they want half a dozen really key strategic plans or whether they want 55 or 60 all-embracing strategic and operational plans. I am tending to the rather philosophical here, but I am in my last year so—and you are leading me down a path that I probably should not go!

MR RATTENBURY: I think it would depend on who you asked.

Mr Harris: I beg your pardon?

MR RATTENBURY: It would depend on who you asked and whether they think their issue is in the five or six.

Mr Harris: Well, that is true too. That is true.

THE CHAIR: Have you any, not advice, but suggestions as to—you talked about nice-to-haves versus the essentials. Do you have any suggestions on, without having a review of reviews and a strategy for reducing strategies, how we go about making sure we can avoid that sort of proliferation and get past that point?

Mr Harris: I think, Chair, you are asking me to act as a minister and that is not my role.

THE CHAIR: Okay. I was simply looking for any suggestions, but on that note, are there any other burning questions? No? Well, on behalf of the committee, I thank you for your attendance today. If you have taken any questions on notice please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*.

Appearances:

Human Rights Commission

Mathew, Dr Penelope, President and Human Rights Commissioner

Rowe, Ms Margie, Acting Victims of Crime Commissioner

Toohey, Ms Karen, Discrimination, Health Services, Disability and Community Services Commissioner, and Information Privacy Commissioner

Griffiths-Cook, Ms Jodie, Public Advocate and Children and Young People Commissioner

THE CHAIR: We now welcome the President of the ACT Human Rights Commission, Dr Penelope Mathew, and we also welcome the commissioners in attendance. Please note, that as witnesses, you are protected by parliamentary privilege and you are bound by its obligations. You must tell the truth. Giving false or misleading evidence will be treated as a serious matter and may be considered contempt of the Assembly. As we are not inviting opening statements, we will now proceed to questions.

Further funding for the ACT Human Rights Commission was announced for this budget to continue the ACT Intermediary Program, which was established in 2020. Can someone outline where this funding will be directed to within this program?

Ms Rowe: That would probably be. As the Victims of Crime Commissioner, I also have the role of Administrator of the Intermediary Program. You will probably note from the budget that the funding is only for the next six months. It will cover, largely, the FTE resources of the intermediaries and the program administration, with some allowance for training and professional supervision. But, predominantly, it is to provide the actual service of the intermediaries. There are 13 staff members in the program.

THE CHAIR: So that is for a six-month period only?

Ms Rowe: It is for six months with a budget comeback. But I would like to take this opportunity to just comment on the difficulty that that has caused to a program that has been profiled in the second Disability Justice Action Program as a program of excellence and providing a significant contribution to promoting fair trials in the ACT, noting that, while the intermediary program has predominantly provided communication facilitation for vulnerable victims, it extended earlier this year to vulnerable accused, and the take-up of that is increasing.

It plays a significant role, as recognised in the second Disability Justice Action Plan, in providing services to vulnerable witnesses and improving the evidence before the court; thus improving fairness of trials. It is a highly respected and incredibly well-used program by police. It provides services when police are interviewing vulnerable witnesses, many of whom are children, reporting child sexual assaults.

So it has caused the staff in the program to feel quite unsettled because of the unpredictability of the future. Because of the way trials are listed, requests for intermediaries and orders for intermediaries are made in advance. You would know that trials are listed well in advance. So the planning for the allocation of intermediaries to those forthcoming trials is soon going to be impacted.

THE CHAIR: Please forgive me, because it is not a program that I am deeply familiar with. But this is not a new program, is it?

Ms Rowe: No; it is not a new program.

THE CHAIR: How was it funded previously? Was it under the budget ?

Ms Rowe: Yes, it was funded under the budget. It was funded, I believe, for a four-year period. As you would know, in this budget round it was almost impossible to obtain funding for programs without offsets. I understand that that was part of the rationale in only providing six months of funding and then giving us a comeback for further funding from 1 January onwards.

THE CHAIR: So it was originally set up as a four-year fixed—

Ms Rowe: Yes, that is my understanding. I probably will have to come back as to whether it was three or four years.

THE CHAIR: Okay. Thank you.

MR RATTENBURY: I thought the program had been evaluated previously.

Ms Rowe: The program has been evaluated recently. The evaluation report has not been released, but it will be very shortly. A summary of the evaluation was provided—

MR RATTENBURY: To budget cabinet?

Ms Rowe: Yes; I believe so. But that was a sort of foreshadowing of what the evaluation would say. The actual evaluation report is probably a couple of weeks away from being finalised.

MR RATTENBURY: I am probably thinking there of the informal feedback, which is said to come from both police and victim advocates, which, I think, interestingly, from both sides has been really positive about this program for getting better trial outcomes and better evidence.

Ms Rowe: Having read the evaluation report—and, as I said, a summary was provided—there is nothing negative in the evaluation report, and there were very positive comments, including from the Chief Justice.

MR RATTENBURY: Have you been given any indication of how this six-month funding will work? I think we all know the budget cycle. If there is to be a midyear budget review, that will not come until February. I have never seen the basis of a comeback after six months, because there is no actual decision point prior to the six months to give you that additional funding.

Ms Rowe: All I know is what was in the printed budget papers, which says that it was for the continuation of 13 FTE for six months until 31 December 2025.

MR RATTENBURY: Are you in any position to cash manage that through to the

normal February cycle for a midyear budget statement?

Ms Rowe: I think it would be difficult. But I would not be able to answer that at the moment. I would probably have to discuss that with the financial people at the Human Rights Commission and get some advice on that.

Dr Mathew: I have to say that it would be difficult. I was thinking of jumping in and saying it does cause difficulties for us when we are carrying a program that is extensively only going for six months. It looks like we will be in deficit from the get-go—and it is not as though the commission has a whole lot of other resources at its disposal that it can just shift to the program.

MR RATTENBURY: Yes; of course.

THE CHAIR: We have heard from some community groups and things about the impact of short-term funding on them. But six months seems extraordinarily short. Surely that has an impact on your capacity to actually keep staff.

Ms Rowe: That is the concern you would imagine. These staff are highly qualified, and there has been such an investment of resources in training them. Intermediaries are quite a specialised role. They are staff with really sought-after qualifications in speech pathology, psychology and various other things. So they are attractive on the open market. So we are now worried about retention. They are dedicated staff. They are very committed to the intermediary program. But, of course, they have got to consider their own needs for job security.

THE CHAIR: Of course; absolutely. I just want to confirm the discussion around the potential to cash manage that. I do not think it was taken on notice; it was more that it would take a lot of work to try to work out if it was even feasible.

Dr Mathew: Bearing in mind that there have always been a number of underfunded positions in the corporate area, for example. So the president's area is always in deficit and we have to cash manage my area based on things like whether we have not managed to recruit someone for another role in another area of the commission. It is very difficult.

THE CHAIR: Okay. Thank you.

MR RATTENBURY: My question is about the government's review of bail and sentencing and whether the Human Rights Commission has been engaged in that process at all and whether you are able to give us any insights into your views on that process.

Dr Mathew: Yes, we have been. I did not bring the submission with me. I should have known I would get a question on bail, Mr Rattenbury. One of the things that we noted, though, was that we were disappointed that the issue of presumptions against bail seem to be excluded from being the remit of the inquiry into bail. As Human Rights Commissioner, a presumption against bail instead of a presumption for liberty is a central human rights issue that should be looked at.

MR RATTENBURY: When you say it was not in the remit, does that mean the review

is not looking at it or you simply were not invited to give comments on that section?

Dr Mathew: I will take it on notice and go back to the terms of the inquiry, but, from memory, I think it was actually excluded, and we made a comment on that.

MR RATTENBURY: Thank you. Do you have a position on indicative sentences? It is an idea that has been floated as part of this process.

Dr Mathew: The commission's position so far has been that, in principle, we can envisage a system of indicative sentencing that is consistent with human rights. The issue when you look at other jurisdictions is that often it has actually added more delays because of the kinds of safeguards that you have to have in place. We understand that Victoria is currently doing a review of the indicative sentencing regime there.

MR RATTENBURY: Okay. That is a helpful steer. I will read more about that.

Ms Rowe: I would add, Mr Rattenbury, that we are concerned about victim participation if an indicative sentencing regime comes in. As you know, victims have a right to submit a victim impact statement once a guilty plea is entered. The role of victim participation when a court is giving an indicative sentence has been a problem that has arisen in the Victorian scheme.

MR RATTENBURY: Thank you. Sorry; I should have asked, Dr Mathew, whether your submission on that process publicly available and are you able to provide it to the committee, or is that confidential to the government at this point?

Dr Mathew: I wish I had checked. I have the feeling we may have put it up on our website just recently.

MR RATTENBURY: I can have a look.

Dr Mathew: I was hoping I was not going to get questions on bail this time around.

MR RATTENBURY: That is fine. I will have a look. But, if it is not, are you able to provide it to the committee on notice?

Dr Mathew: Sure.

MR RATTENBURY: Thank you.

MS CARRICK: This question might be better. How is the commission—

MR RATTENBURY: Oh!

MS CARRICK: I did not mean it like that. This is going to be a hard one as well. How is the commission supporting the implementation of the Jumbunna review's recommendations? So it is not better.

MR RATTENBURY: It is a good question.

MS CARRICK: It is equally as difficult.

Dr Mathew: I am not sure that government is yet across all of the recommendations. As the commission, we do not necessarily play a role in actually delivering on those recommendations. We are more of an accountability mechanism. I have certainly engaged with most of the report and read the recommendations, and I think it is a very impressive report. As far as the commission is concerned, one idea I have had, following a meeting with the Elected Body but also on reading the Jumbunna report, is that not our upcoming strategic planning day but the next one might actually focus on looking at the work that we do and mapping it against Closing the Gap Agreement, the Jumbunna recommendations and so on. We obviously do a lot of work in the space, but Jumbunna is really directed bodies other than us.

MS CARRICK: But, in your role, does it look at systemic failures? Are you able to perhaps provide advice? There will be a governing body that will look at how they are going to implement it. Would you expect to be involved in that somehow?

Dr Mathew: We would hope so. We were certainly involved in the review itself. Both Karen and I, and probably others, met with the review panel to talk about some of the issues.

Ms Griffiths-Cook: Given the various touchpoints that our roles have in respect of the systems that are the subject of that report, I would anticipate that, at a minimum, we would have useful information that could be provided in the course of any implementation program to be able to demonstrate perhaps shifts and changes in themes, trends and others that we might see through our respective roles.

MS CARRICK: This question is about transparency. How does the commission track and report on the implementations of its recommendations to government agencies? Do you ever make recommendations to government?

Dr Mathew: We certainly do, in a variety of different ways. It might be through the complaints function, for example. There would be some confidential recommendations made. When I exercise the review power, under section 41 of the Human Rights Act, we will make recommendations. We do not necessarily have the resources to track them very fully. That is something that arises for the commission, given that we are often struggling to undertake all of the functions that we are given.

Ms Griffiths-Cook: I might just add, as Children and Young People Commissioner, we recently did a bit of an audit of all the consultation reports that we have put out under my steerage over the last nine years to actually record all of the different recommendations we have made through that, so that we can reemphasise those when we are making submissions to inquiries and the like, given the, I guess, background evidence that sits behind those recommendations.

Dr Mathew: We do tend to recall recommendations. One of the things that has disturbed me a bit on coming back into the jurisdiction is when looking at things like the AMC, the lack of a structured day. That has been a constant amongst our recommendations and we still have not managed to nail that as a jurisdiction. But we are usually just aware of the recommendations that we have made, and we raise them

at the appropriate time, rather than engaging in some kind of separate monitoring process.

MS CARRICK: What mechanisms are in place to ensure public authorities are held accountable for human rights compliance?

Dr Mathew: There is one very important one, which is fairly new—and my colleague Karen Toohey could talk to it more. There is now the ability to complain as an individual to the Human Rights Commission and engage in the confidential conciliation process. I understand there have been about 100 complaints under that jurisdiction.

Obviously, people can litigate, unless there is a bar. With the new right to a healthy environment, you currently cannot raise those public authority obligations. You might still be able to raise arguments about interpretation of a territory statute in light of the Human Rights Act, but you cannot raise the public authority obligations. That is obviously a very expensive route. If it does happen, the Human Rights Commission has the ability to intervene in those cases and make arguments about how the Human Rights Act should apply.

MS CARRICK: If you did a lot of complaints in from the public for mediation, what happens if it becomes overwhelming? Will you triage that? How will you manage?

Dr Mathew: Well, my colleague does a wonderful job—and I think the minister spoke about the wonderful complaints team at the Human Rights Commission. I think there is a triage process. But Commissioner Toohey, might want to talk to that a little bit more.

Ms Toohey: Sure. This year we are looking at about a 25 per cent increase in complaints on last year. That includes, obviously, the new human rights jurisdiction, and we commenced the child safe standards last year. So there are a few new jurisdictions rolling in. That is a significant increase. Within my team, we do triage every matter to see, firstly, how quickly we can deal with something, what the risk associated with it is and how urgent it is. That is across the 12 or 14 complaint jurisdictions I administer.

I do not think we have been overwhelmed yet. We do have a little backlog. But, again, anything sitting in the backlog is triaged to make sure that it is not time critical or it does not relate to things like kids out of school or issues to do with health care or our elder abuse jurisdiction, for example.

Ms Griffiths-Cook: Could I just add there too, in my role as Public Advocate, we have a responsibility for monitoring the actions of government, particularly when those actions, were it not for the legislation, that says you can do this in a certain way, would otherwise potentially be a limitation of someone's rights. For example, in the last reporting period, we received 12,168 compliance documents that recorded an action or a decision taken by government that would otherwise represent a limitation of rights.

We can intervene on those matters. So we can go to courts or tribunal settings and actually make submissions in those settings to ensure that the decision-maker is actually appropriately upholding human rights and ensuring that the decisions they are making are reasonable and proportionate to the circumstances. So we have a variety of different

mechanisms that we can draw upon in maintaining that accountability that you spoke to in your question.

MS CARRICK: Thank you.

MR RATTENBURY: Dr Mathew, the bail submission I was asking about is available online. So we do not need that on notice.

Dr Mathew: I thought we might have just recently uploaded it, and I could not remember whether that had happened or not.

MR RATTENBURY: Thank you. So we do not need to deal with that on notice.

Dr Mathew: Great.

MS TOUGH: I think my question is more to Ms Toohey, in your role as the Health Services Commissioner. I have had a few people approach me with health complaints around various private and public practices. What is the process you have for supporting people when they come to you with an initial complaint about a healthcare provider? How do you work with them through that process? How do you work in conjunction with bodies like AHPRA, if there is a complaint that does require investigating?

Ms Toohey: It can be a complicated process because of that relationship with AHPRA. This year we will get over 900 health complaints across the ACT. That is public and private individual practitioners and also, more recently, the code of conduct for unregistered health practitioners.

People can contact us in a number of ways. That might be phone, email and filling in the form online. We triage those matters as they come in. So we have to work out whether it is something that needs immediate, urgent attention. For example, we will get calls from the ED about a concern and we will get calls from people in our mental health settings raising a concern. We will try to deal with those matters immediately and informally. I have very experienced people in the health part of my team who are well able to get on to those matters really quickly.

In some matters, it will be a case of writing to get a response and to get the clinical records. We share the response with the complainant from a natural justice perspective. In many matters, we will try and resolve it through a conciliation process. If it relates to an individual practitioner, that matter might go directly to AHPRA or it might come directly to me. We have a co-regulatory model, so I have to share all that information with AHPRA. Where appropriate, we will still try and resolve those matters through conciliation, but it may also be that AHPRA takes on the management of those, and there may be regulatory action as an outcome to that.

So it depends on how it gets to us, who it is about, what the content is and, to a large extent, how we triage it to see if it is a matter that needs immediate resolution.

MS TOUGH: Would you say most are resolved at that conciliation stage and do not go on to be larger complaints?

Ms Toohey: Yes. There are some matters where we will make recommendations. And just going back to that point, we track the recommendations made in complaints or investigations and we build in a review process so that we can go back after a certain amount of time and reflect on whether they have been implemented or not.

MS TOUGH: You say you go back and review and see if they are implemented. Do you track how many of them are implemented and then follow up when they have not been?

Ms Toohey: I do not have the technology at the moment to track how many. But there are particular matters where—for example, we are in the process of navigating some recommendations at the moment—we will navigate that process with the respondent to make sure that the recommendations are implementable, so that we are not making stuff up, basically, that we cannot implement.

MS TOUGH: So that they cannot even action, yes.

Ms Toohey: Then we will build in a six-month or three-month review, and the staff member who has that matter will then go back and ask for an update.

MS TOUGH: Wonderful. And you find that relationship can be quite good when they go back in three or six months?

Ms Toohey: Yes. I think sometimes the nature of recommendations is that they are helping system change and sometimes they have revealed issues. So the organisations are generally pretty happy for us to come back. We find that it is a pretty positive working relationship with everybody we deal with, mostly.

MS TOUGH: Wonderful. Thank you.

MS CLAY: We have a new right to a healthy environment, and we are quite keen to see how that unfolds. Have there been any complaints lodged against that right yet?

Dr Mathew: Again, that goes to the Commissioner for Complaints. I think there possibly have been half a dozen or so.

Ms Toohey: Yes.

MS CLAY: Interesting. So those half a dozen were lodged since March?

Ms Toohey: Yes.

MS CLAY: Is there anything you can tell us about them?

Ms Toohey: They are all on foot at the moment, so I would prefer not to talk about individual matters.

MS CLAY: No; that is entirely fine.

Ms Toohey: I think Dr Mathew is out and about talking to people about how to use the

right That is encouraging some people to exercise their rights to lodge those complaints. So we are having some pre-conversations.

MS CLAY: We did hear earlier in proceedings about some of the training work you were doing. Can you give us a bit of an update on how you are working with government to train that and how you are working with community to tell them about this new right.

Dr Mathew: I think you might be referring to the fact that the minister said I was undertaking an audit. I am looking at using the power under section 41 to look at the implementation of the right. Section 41 of the act is about the effect of laws, essentially, on human rights, and we can look at the right to a healthy environment in particular. So that is where I am doing a lot of this consultation to try and firm up some terms of reference.

It is quite a vast and evolving right, as you know. So we could look at things to do with clean air. We have been talking to people who are concerned about, for example, clean air and wood burners, water, healthy and sustainable food and safe climate. There is a lot that we could look at. So far I have had discussions with around 60 people in about 11 different consultations, and they are still ongoing. We have certainly had a talk with ministers, but we are also reaching out. I know that we have had a chat with Shane—Mr Rattenbury I should call him. We are going to speak with the Leader of the Opposition, and we are obviously speaking with community organisations like the Environmental Defenders Office, ACTCOSS and Canberra Community Law about what that review should look like.

At the moment, I am thinking I would like to do a series of reports—so take on a few discrete issues and think about it. I have only just started to consult with the local Aboriginal community, because, obviously, the sense of country will inform the way we view the right to a healthy environment. Then there would be some recommendations for government. I imagine that there would be some commendations as well for the things that are being done well here in the ACT and actually some recommendations for community as well. This is an area in which a lot of change is required, and we need to bring community with us.

So that is one strand of what we are doing. The other thing that happens is there is the community of practice. There has certainly been some discussion of the right to a healthy environment in that process as well, which is run by Commissioner Toohey along with JACS legislation policy programs.

Ms Toohey: I think it was mentioned in one of the earlier hearings. We have been running a community of practice across all of ACT government since just prior to the human rights complaint mechanism commencing. That is a way of engaging with people in government about what the rights look like, how they can use them in their work and how it can inform policy and legislation. That is co-convened about every six weeks. That has been a vehicle for talking about all the rights as they come along.

MS CLAY: Both of strands sound like excellent work. It might be too early to say, but I do not know if you can tell us what the trends of the rights are in other places. We are seeing chronic litigation; it pops up a lot. First Nations cultural rights is often one that

is popping up for enforcement or for complaint. Is that looking like what it will be here or is too early to say?

Ms Toohey: We certainly have had some matters around cultural rights. But across the rights, since the mechanism commenced last year, cruel and inhuman treatment has been one, and education and right to work. So we are getting a fairly wide remit of matters coming through.

I think, again, the benefit of the community of practice is we can talk to people who work in government about being calm about it—that this is something they can work with. I think having the complaint mechanism gives visibility to what rights look like but also what the community’s experience of those rights looks like. Cultural rights, for example, is coming up in some of our education matters and also in some of our matters around services for children and young people. One of the other things that we have been doing in my team is running those community-based information sessions. So we are trying to address both the government side of things but also making sure community understand what the rights look like—and practically what they look like rather than theoretically.

Dr Mathew: But I have to say that I think, as a commission, I would like us to do more, both in terms of education of public servants and community—and we have never really been funded to do that. We were looking at an initiative partnering with JACS so that they could take care of the public service and we could take care of the community. There are models where you can do fee for service with, perhaps, some of the corporates, for example. I know that Queensland have certainly done that.

It seems to me that the way you do prevention better and stop litigation from occurring in the first place is by having the public authorities understand their obligations and also empowering community members to know what they might need to do with respect to the right to a healthy environment, for example, because it does actually require us all to take some responsibility for it.

MS CLAY: It does. What sort of funding would be required to do that well?

Dr Mathew: I would like to see us actually have an educational unit with a few staff members. We have not actually prepared the budget case. At the end, it all fell apart. We understand it was a very tough budget this year, but I imagine you would be looking at least \$600,000 a year for a few staff members. You want people who are specialists in education and people who are very good at doing things online, for example, as well as in person, with a view to it becoming self-funding if you can do some fee-for-service stuff.

MS CLAY: Absolutely, and with a view to prevention being cheaper than litigation.

Dr Mathew: Absolutely.

MS CLAY: Which, for this right, will be kicking in in 2028 and for other rights that already exist.

THE CHAIR: On behalf of the committee, I thank you for your attendance today. If

you have taken any question on notice, please provide your answers to the committee secretary within five business days of receiving the uncorrected proof *Hansard*. On behalf of the committee, I would like to thank our witnesses who have assisted the committee through their experience and knowledge. We also thank Broadcasting and Hansard for their support.

If a member wishes to ask questions on notice, please upload them to the parliamentary portal as soon as possible and no later than five business days from today. This meeting is now adjourned.

The committee adjourned at 5.06 pm.