



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY**

**SELECT COMMITTEE ON ESTIMATES 2012-2013**

(Reference: [Appropriation Bill 2012-2013 and Appropriation \(Office of the Legislative Assembly\) Bill 2012-2013](#))

**Members:**

**MS A BRESNAN (The Chair)**  
**MR J HARGREAVES (The Deputy Chair)**  
**MS M HUNTER**  
**MR B SMYTH**  
**MR A COE**

**TRANSCRIPT OF EVIDENCE**

**CANBERRA**

**WEDNESDAY, 27 JUNE 2012**

**Secretary to the committee:**  
**Ms S Salvaneschi (Ph 620 50136)**

**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

<b>Education and Training Directorate .....</b>	<b>997</b>
<b>Environment and Sustainable Development Directorate.....</b>	<b>1066</b>

## **Privilege statement**

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*Amended 9 August 2011*

## **The committee met at 9.01 am.**

### Appearances:

Bourke, Dr Chris, Minister for Education and Training, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Industrial Relations and Minister for Corrections

### Education and Training Directorate

Joseph, Ms Diane, Director-General

Cover, Ms Leanne, Deputy Director-General

Johnston, Ms Jayne, Executive Director, Tertiary Education and Performance

Whybrow, Mr Mark, Executive Director, Corporate Services

Gniel, Mr Stephen, Executive Director, Learning, Teaching and Student Engagement

Garrisson, Ms Joanne, Director, Information, Communication and Governance

Sharma, Ms Sushila, Director, Finance and Corporate Support

Stewart, Ms Tracy, Director, Planning and Performance

Ellis, Ms Anne, Chief Executive Officer, Teacher Quality Institute

Bray, Mr Rodney, Director, Schools Capital Works

**THE CHAIR:** We will start. I will do the opening statement. Welcome once again, Dr Bourke, Minister for Education and Training, to this morning's session of the ninth public hearing of the Select Committee on Estimates 2012-2013. The Legislative Assembly has referred to the committee for examination the expenditure proposals in the 2012-2013 Appropriation Bill and the revenue estimates in the 2011-12 budget. The committee is due to report to the Assembly on 14 August 2012.

The committee has resolved that all questions on notice will be lodged with the Committee Office within three business days of receipt of the uncorrected proof transcript, with day one being the first business day after the transcript is received. Answers to questions on notice will be lodged with the Committee Office within five business days of receiving the question, with day one being the first business day after the transcript is received. Answers to questions taken on notice will be returned five business days after the hearing at which it was taken, with day one being the first business day after the question was taken.

As I said, I welcome Dr Burke, Minister for Education and Training, and directorate officials to the hearing this morning. This morning the committee will continue with the following outputs in the education, training and youth affairs portfolio: output class 1, public school education, 1.4 disability education and public schools and output class 2, non-government education, 2.1, non-government education. We probably will go through each output discretely and see how we go, but some questions might go across. We will go to disability first and then to non-government after that.

There are the usual housekeeping matters. The privilege statement is on the blue card in front of you. I draw your attention to that. I know you all read it yesterday. I remind everyone that proceedings are being broadcast. Minister, I invite you once again to make an opening statement.

**Dr Bourke:** I think we will just go straight into questions.

**THE CHAIR:** That is not a problem.

**MS HUNTER:** I want to go to the issue of the student-centred appraisal of needs, SCAN, and find out who can get one of these appraisals done. What sort of disability do you have to have identified in order to be able to have the SCAN process?

**Dr Bourke:** I think Mr Gniel can take that.

**Mr Gniel:** Their entry into the SCAN process is through eligibility. And it depends on the disability from there through that student-centred appraisal of need. So the title itself is, I guess, the key to that, in that, once the eligibility into that process is determined, then the SCAN process itself looks at the level of adjustments required.

**MS HUNTER:** I understand the SCAN process. I am just wondering about that eligibility. What I am trying to ascertain is what sorts of disabilities are we talking about to be eligible.

**Mr Gniel:** Autism, for instance.

**Ms Joseph:** I think Ms Hunter is talking about the eligibility. What do school counsellors, teachers, parents actually present as evidence for students to go into the SCAN process?

**MS HUNTER:** Yes.

**Mr Gniel:** Generally a diagnosis.

**MS HUNTER:** You mentioned autism. Does that also cover Asperger's?

**Mr Gniel:** That does.

**MS HUNTER:** What additional funding does a clinical diagnosis of Asperger's attract?

**Mr Gniel:** It depends, again, on the process, going through the student-centred appraisal of need as to what level of funding. There are different bands of funding that come out of that process, depending on the needs of the individual student. Those are in addition to the support provided through the normal process for mainstream allocation of funds as well. So this is an additional funding stream.

There is also the choice for parents, as you would be aware, of what setting that that will then occur in. There are a range of different models that students can use. Their education needs can be met through special schools; for example, learning support units, learning support units that are autism specific, learning support centres and through integration support program funding that is an additional top-up to support them in the mainstream setting.

**MS HUNTER:** Are the numbers of students who are somewhere on the autism spectrum going up?

**Mr Gniel:** Yes.

**MS HUNTER:** And what has been the increase?

**Mr Gniel:** Just let me get those numbers.

**Dr Bourke:** The preliminary data from February 2012 was 631 students.

**MS HUNTER:** And what has the increase been from, say, the previous year? How are we trending? What sort of percentage increase are we seeing each year? I would ask that generally about students with disability, not just those on the autism spectrum.

**Dr Bourke:** Of course, this is a spectrum disorder. Mainly you want to focus on where it is changing within that spectrum. The difference between having high-order kids on board as opposed to low-order kids on board is very significant, as you will appreciate.

**MS HUNTER:** I am trying to get some sense of what percentage increase we are seeing each year in students with disabilities coming into our government schools.

**Ms Stewart:** Over the last three years, from 2010 to 2012, the numbers of students with a disability have increased from 1,869 in public schools to 1,890 in 2012 in our public schools. We are seeing increases in students with a disability in non-government schools as well. Their numbers have gone up from 479 in 2010 to 559 in 2012. I do not have the percentages at the moment, but I can calculate some and let you know.

**THE CHAIR:** So that is taken on notice.

**Mr Whybrow:** It is probably worth while to recognise the 2011-12 budget initiative that provided an additional \$5 million to reflect increased numbers over recent years. It is ongoing in this budget as well.

**MS HUNTER:** And there was the \$2 million that went to the non-government sector?

**Mr Whybrow:** In this budget, yes.

**MS HUNTER:** Although we have got non-government schools coming up, I think it is probably okay if we deal with it here. So there is an extra \$2 million. How was that calculated? Was that calculated on the numbers of students or some sort of increase, or was it simply the amount of money that was available?

**Mr Whybrow:** The investment is money that has become available under the interest subsidy scheme. The interest subsidy scheme was closed to new entrants, I believe, in around 2003. That fund has built up over time and was always earmarked and quarantined by the government to be provided back to the non-government sector. It has effectively been targeted to this area.

It is probably also important to note a couple of other budget initiatives. I believe it was in the 2008-09 budget that the government provided in the order of \$400,000 per annum for accessibility for students with disabilities to the non-government sector. And following that, the year after that, there was a student equity fund, which provided \$1 million per annum ongoing. It had two components, one around low socioeconomic background and the other around increased support for students with disability. So those elements have also been provided into the non-government sector.

**MS HUNTER:** So there is the \$400,000, which is recurrent funding?

**Mr Whybrow:** Yes.

**MS HUNTER:** And the million?

**Mr Whybrow:** Yes. I believe it was about half of that.

**Ms Sharma:** Out of the \$1 million, around \$400,000 was tied towards students with disability, and the other \$600,000 was for student support.

**Mr Whybrow:** If you look back, since 2008, you will also see that there has been a direct impact. The census numbers that I looked at show something like a 30 per cent increase of students with disabilities since 2008 to 2012 in the non-government sector.

**MS HUNTER:** So this \$2 million, as you said, became available through the interest subsidy scheme. Is that an ongoing amount?

**Dr Bourke:** It is an ongoing commitment of the government to use the amount available through that interest subsidy scheme to provide support to non-government schools. Of course, the submissions from and interest from the non-government school sector seeking support for disability were strong. This accorded with government policy, and that is why we allocated \$2 million to disability.

**MS HUNTER:** Why do we only see it as a one-off?

**Dr Bourke:** Of course, you will be aware that the national funding arrangement for funding of schools is in a state of flux. We have got a federal education minister who is talking about bringing in legislation to support the recommendations of the Gonski review at the end of this year. Whether or not we have some form of implementation of the outcomes of that review next financial year is unknown at this stage. So we are taking it on a year-by-year basis.

**MS HUNTER:** If the Gonski reforms do not go ahead and legislation does not go through or changes do not happen, is there still a commitment from the ACT government to have an ongoing amount of money, recurrent funding, to meet the increase in students with a disability in the non-government sector?

**Dr Bourke:** That really depends upon the next budget process and the submissions and interest we get from the non-government sector as to where they would like funds to be applied.

**MS HUNTER:** Is that usually \$2 million that comes out? Obviously it is invested and so is different—

**Mr Whybrow:** The total value of the program which has been quarantined is in the order of \$3 million per annum. As it is closed to new entrants, the amount becoming available in the future for redistribution is becoming more as programs come offline. Our current estimates are that we have got a recurrent amount capacity which will be building now and which is in excess of \$1 million per annum. So there is capacity for reinvestment. It is, as the minister says, what are the priorities and the capacity to reinvest.

**MS HUNTER:** And this was the fund that subsidised interest on loans that non-government schools took out for capital to build?

**Mr Whybrow:** Yes.

**MS HUNTER:** And, as you say, it was closed to a certain number?

**Mr Whybrow:** It was closed to new entrants.

**MS HUNTER:** And as they paid off those loans—

**Mr Whybrow:** That was based on O'Connor's report recommendation to government. That report identified issues around the beneficiaries of that fund being effectively those who could afford to have the loans and then have them supported. So there was an issue about equity of distribution of funds that was raised by that report.

**MR COE:** Is that report published?

**Mr Whybrow:** That report is published. It is a 2003 report.

**MR DOSZPOT:** Minister, did I understand correctly that \$2 million in insured funds from the interest subsidy scheme is being channelled into the non-government disability sector, so there are 559 students who will get an extra \$2 million in the next fiscal year? In the following fiscal year are you saying that that will probably drop to \$1 million?

**Dr Bourke:** What I am saying is that in the next budget we will go through the same process that we have gone through with this budget. We will consider the resources available. We will consider the requests and submissions from the non-government sector. We will see how that aligns with government policy, both within overall economic and national educational environments, which I have just described are in a state of flux, and then we will make a decision.

**MR SMYTH:** What does "a state of flux" mean? What is happening there?

**Dr Bourke:** As I have just described, Mr Smyth—

**MR SMYTH:** No. You keep using some words. I do not think you are describing

anything.

**Dr Bourke:** That is how we communicate, unless you would prefer to do it in writing.

**MR SMYTH:** That is very witty.

**Dr Bourke:** I am trying.

**MR SMYTH:** What is the state of flux affecting this sector?

**Dr Bourke:** As I have just described, we have a federal education minister who has made announcements that he is going to legislate by the end of this year to bring about the implementation of the recommendations of the Gonski review.

**MR SMYTH:** So why is that a state of flux?

**Dr Bourke:** He has not done it yet.

**MR COE:** He has not done what?

**Dr Bourke:** Legislate.

**MS HUNTER:** There are some unknowns out there around the Gonski reforms. We have had a number of people in here, particularly on the first day of estimates, speak about the difficulty when you get one-year funding: you set up programs, you employ people—all of those sorts of things—but you do not have certainty about what happens from there. Minister, are you prepared—I guess, to not leave it until the day of the budget, but beforehand—if we do not have Gonski reforms, to at least give some certainty to these programs?

**Dr Bourke:** Clearly we will have a better idea around the middle of next year or perhaps early next year as to what is to be the outcome of the propositions from the federal sphere, which would then lead us to make some considerations about how we are going to manage things in the future.

**MR DOSZPOT:** Minister, just to continue on my previous question: how was this \$2 million established? You are saying you are looking at what sort of proposition comes to you from the independent sector as to what they need for disability.

**Dr Bourke:** Independent and Catholic.

**MR DOSZPOT:** Sure. Was that \$2 million based on any such request, or did you just happen to have \$2 million sitting there and decide this would go to the independent disability sector?

**Dr Bourke:** There was a range of discussions of priorities or requests for priorities for funding. Disability was the one that we chose to support.

**MR DOSZPOT:** Okay. What I am trying to get at is exactly what Ms Hunter is alluding to; that you do not just get \$2 million to put into this sector without some

programs being set up. The independent sector, the non-government sector, have thanked the government for the \$2 million for disability, but obviously if they have got to build on programs they cannot be in a position where the following year there is uncertainty about how much they will get. If it is only \$1 million, as Mr Whybrow has indicated is available through the subsidy scheme, what is the plan of the government to complement that \$1 million to at least make it the same, to give people a sense of continuity and the ability to work and develop programs?

**Dr Bourke:** It is really up to schools and the Catholic system to decide how they apply the funds. The funds are distributed according to the SCAN process, so—

**MR DOSZPOT:** I am not asking you—

**THE CHAIR:** One person speaking at a time, please.

**Dr Bourke:** it is up to the schools to decide whether they use that for programs or in other ways.

**MR DOSZPOT:** So are you saying that if they are going to use it for programs you will make sure that they will get \$2 million the following year?

**Dr Bourke:** That is not what I said at all. Do not put words into my mouth, please.

**MR DOSZPOT:** We are trying to determine what you are saying. I do not understand what you are saying. What we are trying to get to is whether the \$2 million that has been given this financial year will be continued—yes or no?

**Dr Bourke:** What I have told you is what I have told you. There is \$2 million this year. Whether there is support in the following year is dependent upon the budget process that we work through.

**MR COE:** Do you think the teachers and students deserve this uncertainty?

**Dr Bourke:** I think people are probably very happy to get the \$2 million allocation to non-government schools—

**MR DOSZPOT:** They are very happy, yes.

**Dr Bourke:** And you seem to be arguing against it. Why is that?

**MR COE:** Do you think they deserve uncertainty? That was the question.

**Dr Bourke:** This is a process that we go through for distributing money. It is called a budget. We do it every year.

**MR COE:** You said they may use money to spend on programs. Would you be happy if they cut those programs in a year's time?

**Dr Bourke:** It is up to the schools to decide how they distribute the money, how to use the money within their system.

**MR DOSZPOT:** It is not up to the schools how much money they have, minister. That is what we are asking you.

**Dr Bourke:** It is certainly more money than they had before to use. I am sure they will be able to use it very well and I am sure that they will be very happy to receive it. I am not sure—

**MR DOSZPOT:** That is a very condescending response when we are just trying to ask what the government's—

**THE CHAIR:** Thank you. Ms Hunter, we will come back to your question.

**MS HUNTER:** Just to follow on with my original question around SCAN, many parents have raised the issue that their children have to go through the process again and again and again, even when they have a disability which is not going to change over time. What has been done in that area to minimise the number of assessments that need to be done while still making sure you do a thorough assessment to address the needs of the child?

**Mr Gniel:** What I would like to raise around that is that the disability may not change but the educational adjustments do. Obviously students grow in terms of their age and also their abilities can change and so—

**MS HUNTER:** Wouldn't that be through the individual learning plan, though?

**Mr Gniel:** The SCAN process is also about the funding that relates to that adjustment. As students progress through their schooling—we are talking about starting this at a very young age, with kids all the way through to year 12—the change in those students, as you would well recognise, is extreme, as is their ability to interact with the educational environment. At the moment they go through a number of those SCAN processes along that journey of education, but that is a process by which we look at what are the educational adjustments required at each of those different times.

I understand that for parents that can be frustrating at times, particularly as the children get into the senior years, when they have been through that a number of times. I guess the other point about it, though, is that if there are further adjustments required it can end up that the students may need additional resources in that environment too, so it is not just one way in terms of funding adjustment change.

To pick up on the previous discussion around the national agenda, the collection of nationally consistent data has been an ongoing project and has now been picked up through the Gonski review as a possible source of how students with a disability may be funded. This is something that we support in the ACT. That will look very much at educational adjustment. It was also part of the Shaddock review, making sure that we focus on the adjustment required; that first and foremost these are students in our schools and that they do require certain levels of adjustment. That also includes non-government schools, so the Gonski review and that work that the minister is talking about, about a complex environment, is very much correct. The funding model that Gonski is proposing is about a mainstream component with an additional top-up for

that adjustment required, and that will be the same for government and non-government.

**MR HARGREAVES:** Minister, apart from—and Shaddock, did you say?

**Mr Gniel:** Yes, the Shaddock review.

**MR HARGREAVES:** Are there any national standards applicable to services to kids with disability in schools?

**Dr Bourke:** This is something that the ministers council is looking at at a national level. In fact at our most recent meeting we agreed to develop a business case and implementation strategy for a model which will have the objective of full national data collection in 2013, following a trial of revised descriptors in the second half of this year. You have to appreciate this is a process that has been going on for a long time and the hurry-up that the Gonski review has given to this process has been significant. School funding around disability is a very important part of that delivery of an equitable, transparent funding system to those most in need, which is of course the essence of the Gonski review.

The model aims to enable the collection of nationally consistent data, which goes to the nub of your question, on students with disability, and this will be happening for the first time. It will provide, as I said, a new level of transparency and an evidence base for the numbers and distribution of students with a disability that are being currently supported in schools and the level of adjustment provided for them so that we can then get to that essence of providing for those most in need.

**MR HARGREAVES:** You said this is hopefully to be ready for the 2013 year. That means that someone is going to have to get their skates on between now and the end of this year, I would imagine. I am aware from my own experience on ministerial councils that there is usually a lead jurisdiction. Who is the lead jurisdiction on this particular issue, and what role is the ACT playing in this?

**Ms Joseph:** The lead jurisdiction is the Australian government. New South Wales and Victoria are doing a lot of work in the technical sphere, in actually testing models. The role the ACT is playing is that we are participating through the strategic policy working group, through the national data subgroup, through the finance data subgroup, into testing and refining models. The level of technical work that has to be undertaken is significant, together with testing national definitions around disability.

Each jurisdiction is quite different in nature; for example, in the ACT our early childhood school model, our college model, is quite different from other jurisdictions. So our role in the school funding review is to support and test and refine a national model but also to make sure it is going to be applicable to the ACT public, non-government and independent schools.

**MR HARGREAVES:** One of the discussions around services to kids with disability in both sectors of education, particularly here—and I think nationally—has been the notion that there is a certain amount of money that will supplement a child's education expenses, whether it be providing services or something directly to the kids.

There was this notion of the money following the child from institution to institution. Within the public sector that is not an issue. Going from the public sector to the private sector and back again is an issue.

These amounts are individually not significant in the educational sphere, but they are significant to a family. I would have thought that, in terms of some of the bigger schools like Marist or Grammar, those sorts of things are not a big issue, but for a school like St Clare of Assisi those figures will have a big impact. Is this issue around the money following the child going to be considered in this national approach?

**Ms Joseph:** The school funding review is about transparency and equity. It is also focused on addressing disadvantage and disability—what is acknowledged as an educational disadvantage. Although the Australian government has not accepted any of the recommendations from the Gonski review at this point in time, there is general agreement around jurisdictions about a school resourcing standard, a base amount per child, together with loadings to address factors of disadvantage.

The model also addresses not just disadvantage for an individual. It talks about compound disadvantage. So where you have groups of students who have a similar disadvantage in one school or in one geographic location, there is complex disadvantage as well as individual disadvantage. Hence, the model is looking at whether there should be funding levels around a certain number or whether it should be for an individual. So we do not know exactly where the disability is going with that, but all funding models across the states actually do ultimately in respect of disabilities go back to an individual child.

**MR HARGREAVES:** This will take into account the fact that a student may have a disability but come from a low socioeconomic background and a troublesome neighbourhood et cetera?

**Ms Joseph:** That is right.

**MR HARGREAVES:** What is your personal view on that? What are you taking to the ministerial council in terms of an ACT approach to this?

**Dr Bourke:** Our ACT approach is that there must be a transparent model. Our submission to Gonski supported the findings or the thrust of Gonski regarding a transparent model.

**MR COE:** The thrust of Gonski now.

**MR HARGREAVES:** Good one. Go to the top of the class.

**MR SMYTH:** He is.

**THE CHAIR:** Can we let the minister answer the question, please?

**MR HARGREAVES:** If you do not take your books, you will not be there long enough.

**MR COE:** Right from the—

**MR HARGREAVES:** You are a child.

**THE CHAIR:** We will let him answer the question.

**MR COE:** And you are a professional, John.

**MR HARGREAVES:** A lot more than you are.

**THE CHAIR:** Members, please! Dr Bourke.

**Dr Bourke:** The essence of Gonski is about transparency so we can see where the money is going. It is about providing funds to where they are most in need and it is about equity. I think that is something we would all want in a national funding system for school education.

**MS HUNTER:** Do we face some real challenges in all of this, minister, because of the nature of the ACT where we do not have necessarily massive pockets of disadvantage? For instance, one of the real positives about our community is that public housing is salt and peppered throughout the city and so forth. Are they the real challenges we are facing in those debates at the national level?

**Ms Stewart:** It is. We always bring an ACT perspective. Ms Joseph mentioned before some of the differences between our system in terms of the structure of our schools. One of the other differences is the distribution of our population and the demographics of our population. That is something that we are quite strong on and where we are quite different to other jurisdictions and that we bring to the table in any considerations around the funding model and how it should be applied.

As you say, demographics are distributed differently. For example, we have a very different context to the Northern Territory or even New South Wales around that. That is something that we always take into account when we are involved in the discussions around how the model should be applied.

**MR DOSZPOT:** I want to come back to a question Mr Hargreaves asked. It had to do with the portability aspect, the equitability or the equity of funding in government and non-government schools for children with disability. Minister, to quote your words about the essence of Gonski, I think there seems to be bipartisan support for equality of funding for children with disability. Your government has had 11 years to address the equality of funding to children with disability. For the record, could you tell me why there is such a big gap between disability funding for children with disability in non-government schools and children in government schools? Can you tell us what those figures are and why there is such a gap in the funding by your current government?

**Dr Bourke:** There is a range of issues that predicate your question. Firstly, there is the nature of the spectrum of disabilities and where those children with the greatest disabilities are concentrated. There is also the question of the numbers of students with disabilities and where they are concentrated. There is also the question of the

nature of the commonwealth funding which is provided to non-government schools, which is fundamentally at the root of what we are talking about with the Gonski review.

**MR DOSZPOT:** I am talking about the disability component of your funding. Could you state for the record what the current disability funding is for students in non-government schools and the funding to students in government schools?

**Mr Whybrow:** I refer people to the budget papers and to output class 1.4. It identifies total funding for disability education in public schools.

**MR DOSZPOT:** What page is that?

**Mr Whybrow:** Page 401 talks about the 2012-13 budget, the total budget of \$65.671 million. I should point out that within the ACT we talk about total funding to students with a disability in our representation. So there is an allocation for a student being a student, if I can put it that way. Then there is additional resources around need, which is, I guess, consistent with the model that people have been talking about in respect of needs-funding models. What any future model would be about would be a needs-funding model. If we look to total funding in the non-government sector and support from the ACT, we then need to—

**MR DOSZPOT:** Sorry, can I just ask a question?

**Mr Whybrow:** Yes.

**MR DOSZPOT:** As I understand it, the total number of students in the non-government sector with a disability is roughly 20 per cent of the total; is that correct?

**Mr Whybrow:** Let me just check my numbers—2012, 559 out of a total of 2,449. So that is—

**MR DOSZPOT:** Okay. If we have a look at the budget that is allocated to government schools and the budget to non-government schools, what percentage do the non-government schools receive for disability?

**Mr Whybrow:** If we have a look at the total of—I point you to page 402 that provides total funding to the non-government sector. I guess this is a really important part, that what—

**MR DOSZPOT:** Sorry. I take you back to page 401 that you took me to before. There is a figure of \$62.770 million for the government sector public schools.

**Mr Whybrow:** Yes, or the budget for 2012-13, which is \$65.671 million, which also includes complete funding for four specialist schools.

**MR DOSZPOT:** That is fine. Taking the four special schools out of it, what is the difference?

**Mr Whybrow:** What is the difference?

**MR DOSZPOT:** What I am trying to get is some clarity about the current funding to children with disabilities. We are all in agreement that under Gonski this should be equal.

**Mr Whybrow:** Yes.

**MR DOSZPOT:** Even the minister seems to agree to that. What I am trying to understand is why this government is not paying the same attention to the current situation that is in place.

**Mr Whybrow:** Okay, from my point of view that is a slightly different question. Because—

**MR DOSZPOT:** It should not be.

**Mr Whybrow:** If I point you to page 402, it actually talks about the funding mechanism. So the ACT government is only one of a number of people who are the funding element to the non-government sector. So the concept of saying—this is where I think we get into the national debate and where I am very much in support of David Gonski's statements around increasing the transparency. The issue that we seem to have at the moment is that it depends on a selective use of figures, depending on where people are in support.

If you are in support of increasing funding to the non-government sector, you will quote differences around 17 per cent, 20 per cent, 25 per cent of funding from states and territories versus an increased level of funding from the commonwealth government. If you are in support of increased funding for the government sector, the figures that get pulled out are around the commonwealth government only providing support to the government sector in the order of 10 per cent, but they are providing support to the non-government sector in the—

**MR DOSZPOT:** Mr Whybrow, I understand all that. What I am trying to say is—

**MR HARGREAVES:** Well, I do not.

**Mr Whybrow:** No, no—

**THE CHAIR:** Mr Hargreaves!

**MR HARGREAVES:** I do not, and he is halfway through it.

**MR DOSZPOT:** No, no.

**Mr Whybrow:** All I am just trying to say is that there are multiple funding sources—

**MR DOSZPOT:** I understand that.

**Mr Whybrow:** for each of those services. The point of—

**MR DOSZPOT:** We are talking about the ACT budget at the moment.

**Mr Whybrow:** No, and—

**MR DOSZPOT:** The ACT budget does not have a commonwealth component in that \$62 million.

**Dr Bourke:** Look, Mr Doszpot, it needs to be viewed—

**Mr Whybrow:** It does. It actually does.

**Ms Joseph:** It does.

**Dr Bourke:** Mr Doszpot, it needs to be viewed within the context of overall funding—in other words, what the commonwealth is providing, which is what Mr Whybrow is trying to tell you.

**THE CHAIR:** Can I just remind everyone—if we can have one person speaking at once.

**Mr Whybrow:** Sure.

**THE CHAIR:** That is for everybody. Stop interrupting each other.

**MR DOSZPOT:** I appreciate that, but all I am trying to do is make it as simple as possible to make the comparison. I am asking: is it possible to distil the figures—take out the special schools and the remainder of the schools, which should be on exactly the same basis as the funding that the non-government schools get? That is what I am trying to do.

**Dr Bourke:** Mr Doszpot, you are not taking into account the lack of commonwealth funding that is provided to government schools.

**Mr Whybrow:** And my answer is—

**MR DOSZPOT:** All right, minister—

**THE CHAIR:** If we can let Mr Whybrow answer, please.

**Mr Whybrow:** My answer is on that basis of saying that it would be great to have the simple comparison. If you were doing the simple comparison, you have to also reflect the funding support. So on a base-by-base comparison for disability funding, in total funding at the moment the most recent figures around government services in the ACT, so we always quote—a standard calculation that we use here, which does a comparison of ACT source funding in the public school sector versus non-government school funding provided by the ACT government.

That figure I always get asked here every year. For the 2012-13 budget, that is 18.6 per cent. That is a standard calculation. That is not the same as a New South Wales calculation or anyone else's calculations, because we do not see what they are.

But we can provide the change year by year. It is about a complex model and getting transparency through that. That is the advantage of the Gonski report—about putting it all on the table so you can see like with like.

If I take that and then say it is 18.6 per cent in total, if we look at the ACT's contribution for disability funding, before the impact of this \$2 million, we are talking about over a 30 per cent contribution in comparison for disability funding. That is the like with like share. I mentioned a couple of budget initiatives that were provided by this government in 2008-09 and 2009-10 that were saying that this was a priority for this government—that said, "Let us put a higher contribution from even the share of the ACT, being one of a number of providers of funding to the government sector," to say, "This is a higher priority; on current arrangements, let us pay a greater share into this area of need." That is what has happened since 2008. Numbers are also reflecting that, from what we have seen.

I guess that is the bit where we are trying to have the debate around total funding rather than selectively pulling out. That is what I see as the great advantage of a more national, transparent and consistent system. Yes, there is significant work that we are doing with others on each of those elements. One of the most complex components of this is the disability state.

Within Gonski there are a couple of other things which have not been mentioned here which are worth saying. There is that component where, regardless of where you go with a disability, you should be funded. That has been said. There is also an element outside that disability component, which is a capacity to pay component, which is identified in Gonski as well. Within a non-government school setting, that is something that is being considered in the modelling.

The other component is about, in the non-government sector, talking about 100 per cent funding schools where they are in isolation and they are the sole source provider, given the nature of what they do. In the ACT, geographically you would not say that we are in that space. The only one that you could potentially say that would affect would be something like the Galilee school, given their priority around the nature of what they do.

We are very much informed in the discussions, but it is about pulling it together to look at the total of the funding and having it more transparent so we do not get caught up in sides and it is a matter of "let my side win and the other side lose" but rather we look at the total—what does it mean in total, what is the sharing of the arrangements of funding between people? That is so that we get into the issues about change and increased performance. There are a number of aspirational elements in Gonski, talking about increasing performance being at its heart—student performance. They are all of our goals.

**MR DOSZPOT:** Thank you, Mr Whybrow. Just to clarify, my questions were not predicated on the basis that one side would win. I am talking about only one side—children with disability—regardless of where they go, whether it is government or non-government.

**Mr Whybrow:** Yes.

**MR DOSZPOT:** That is my side.

**Mr Whybrow:** I know; I am sorry—

**MR COE:** Does the government get—

**Mr Whybrow:** Sorry; I was not casting any aspersions at all.

**THE CHAIR:** Just one person at a time, again.

**MR COE:** Does the directorate get information about funding from the commonwealth to the non-government schools in the ACT?

**Mr Whybrow:** Yes, and they are included in the budget papers.

**MR COE:** In which case, why can't you provide a breakdown of total funding within the ACT context? I understand that there is a push nationally, but why, within the ACT, can the very figures that Mr Doszpot is asking for not be provided?

**Mr Whybrow:** If I refer you back to page 402—

**MR COE:** If you do actually give all the figures.

**Mr Whybrow:** it is the total figures. So the elements of what the commonwealth funding is targeted for are up to the commonwealth. The commonwealth—

**MR COE:** I understand that. Do you get those figures?

**Mr Whybrow:** They are in the budget papers. If I refer you to page 402, the budget contains—

**MR COE:** I have got that here.

**Mr Whybrow:** commonwealth funding of \$158.601 million. The commonwealth's breakdown allows non-government schools a significant level of autonomy in how they allocate their moneys, because it is only one of a number of other sources—as does the ACT government. There are not stringent requirements to say, "You must spend this dollar on disability funding and that dollar on something else." The requirements for the commonwealth government on the acquittal of their funds are not something that we monitor as ACT officials; that is the role of the commonwealth government—

**MR COE:** So you do not have that. So you do not have the breakdown on how non-government schools spend money for students with a disability?

**Mr Whybrow:** We receive their annual reports, because as part of the acquittal of the \$53 million that they have received from the ACT government they meet broad priorities. But it does not show a breakdown. It would be, at best, a cost attribution model. If you have a child in a class with a disability and you have got the teacher,

what share goes to the student with the disability versus all the other students?

**MR COE:** Sure.

**Mr Whybrow:** That level of detail is not provided and is not monitored by the ACT government. We provide it to the schools to provide the best outcomes. They make choices in local settings about environments based around individuals' needs.

**THE CHAIR:** Ms Hunter, did you have a follow-up to this?

**Mr Whybrow:** Ms Joseph has just reminded me of something. The most appropriate point of showing comparative data is the My School website. With the My School website, we spent over 18 months developing a more consistent model, a consistent national model, of reporting because there are significant differences. People will say dollars are dollars, but in each of those entities there are different accounting standards given the nature of the size of the business. Some schools in Australia are on a full accrual basis, like our schools; others operate on a cash system, depending on their size. A lot of work was put together to bring in a more nationally consistent standard, but again the information in My Schools is something called notional income per student. That is effectively what it is about.

**MR DOSZPOT:** And on that—

**Mr Whybrow:** That is incorporating a number of complex things. If you have a look at that data versus the Productivity Commission's data versus ACARA's data on total numbers, you will see different figures, because there are different things included, like depreciation, the cost of capital. So again, if you are looking for one standard, we are moving towards that My School data, so we can talk about one set of numbers but again, unfortunately, it is not that simple—

**MR DOSZPOT:** Mr Whybrow, I am aware of other figures as well, and we are aware of the comparisons between how much is given to government and non-government schools. My question originally was for the minister, for the record, to state here what those figures are and for the minister to answer why this government is not having that same equity philosophy, if you like, that they are so supportive of in the Gonski review. That was my question.

**Dr Bourke:** Mr Doszpot, you want a simple answer for a complex question—for a complex question which has been described to you.

**MR DOSZPOT:** Minister, I am simply asking for an answer, whether it be simple or complex.

**Dr Bourke:** You have the answer.

**MR DOSZPOT:** You have plenty of ability to do that through your department or to answer this for us in the fullness of time, if you want to take it on notice. I would be very happy to get your complex answer or simple answer that you may want to give me.

**Dr Bourke:** I believe you have had the answer.

**MR DOSZPOT:** Thank you.

**THE CHAIR:** All right. We will move on.

**MR DOSZPOT:** Why did I expect any more?

**MR SMYTH:** The census this year says that between 2008 and 2012 there has been a 12.2 per cent increase in enrolments of students with a disability. What is driving that? Is it just that people are owning up or that we are assessing kids better—sorry, “owning up” is a bad term: that we are becoming aware of kids with a disability and people are willing to identify kids? What percentage are moving into the territory? And how do you see the trend into the future?

**Ms Stewart:** We do not have the information available on whether the children have been born in the territory and grown up here or whether they are moving in and out of the territory. However, anecdotally what we know about students with a disability is that generally we are having increased survival rates, so we are getting increased numbers of people with a disability in the general population. That has been reflected in our student numbers. You mentioned the increase in students with a disability of 12.2 per cent over the last five years. That compares with an increase in the overall student numbers of 6.2 per cent. So the increase in the proportion of students with a disability is nearly double that of the general student population. As I said, a lot of that is due to things like increased survival rates.

I might be speaking out of turn here, but anecdotally we would also say that more programs and opportunities are available for children in education, so children are in education where previously, a number of years ago, they might have taken up other options outside the education system. That is the data around the trends. I cannot actually tell you what the movements are in and out of the ACT in terms of students with a disability.

**MR SMYTH:** In that four-year period has there been any improvement in the way we assess kids?

**Mr Gniel:** We are talking about the SCAN process now, Mr Smyth. During that period, the model has been consistent through the student-centred appraisal of need. Through the Gonski work that we have been discussing previously, that will impact on how we would do that in the ACT, obviously. The changes there could change the way the funding models work.

**MR SMYTH:** Over the last four years, what has been the increase in the number of parents who ask for an assessment for their child?

**Mr Gniel:** I do not have exact data on me about the numbers of parents—are you saying parents who have asked? The numbers are the ones that are quoted by Ms Stewart about the increase in the numbers of students with a disability who are funded within the ACT. That is the increase itself.

**MR SMYTH:** You said earlier this morning that sometimes it is the teachers. How do we identify these children? Have we had more parents asking for assessments over the last four years?

**Mr Gniel:** We have seen an increase in the number of students, as I have just said. In terms of how many have asked for it, I do not have that information. But I know the outcome of it.

**MR SMYTH:** You do not have it? Would the department have it if we requested it?

**Mr Gniel:** I think it depends on the definition as to where you ask for it. A parent may have said to a teacher, “Is there a possibility that there’s a learning difficulty here?”—and then they have gone through some conversation and that has not been the case—as opposed to someone who has gone to a doctor and received a diagnosis and that goes back and obviously goes through the SCAN process for funding.

**MR SMYTH:** Could you perhaps take it on notice and see whether or not back in the department you have got information about how we become aware of these children, what percentage of the breakdown are the SCAN assessments and how we came to that knowledge?

**Mr Gniel:** Yes, I can certainly take it on notice and provide more information about the kinds of mechanisms—I think that is what you are asking for—that it comes to our attention that students may need additional funding. Is that it?

**MR SMYTH:** Yes, that is not a bad summary. Has there been any work done on the trend, therefore, of what the need will be in later years? If the growth is double the number of students without a disability, what are your predictions for the coming years?

**Mr Gniel:** Again, that is a complex issue. I just refer to the \$5 million annual increase in the budget from last year as well, which was recognition of those increased numbers. We work closely with Health. That is an important part here because sometimes, as Ms Stewart has said, we know that more students are surviving through those early childhood stages of life. Our work is becoming increasingly important with Health around identification of those needs into the future, particularly for students with complex medical needs.

We also track the increases in early intervention units, for example, which is often where we see the first presentation of those students. We know the trend data about the increasing numbers that Ms Stewart has talked about. We are aware of those increases and the trend across Australia for an increase in those numbers.

**Ms Stewart:** Can I just add to that answer? We have recently started doing projections around students with a disability, which is quite a complex issue. We have now started to incorporate that. Some of the complexities are that we are seeing more students with a disability in the non-government sector. That proportion is changing quite rapidly. That affects our projections of how we would estimate students within—

**MR SMYTH:** That is the data I am after. You have started the projections. The \$5 million extra that you talk about, was that based on “we have got this money in the pot, therefore, you can have \$5 million” or was it based on the projections? What are the projections for the growth in numbers over the next couple of years?

**Mr Gniel:** The \$5 million was for the increase that we have seen over the last few years around students with a disability but also the complexity of meeting those needs. The work that Ms Stewart is talking about is the next phase of that around the projections for future years that we can then use to look at funding source.

**Ms Stewart:** I have the projections in front of me for the next two years, for 2013 and 2014.

**MR SMYTH:** They are calendar years?

**Ms Stewart:** Yes, they are. These are students in public schools. For 2013 we are projecting 2,073 students with a disability in our public schools and for 2014 we are projecting 2,094. I just urge some caution. As I said, we are only just commencing the process of doing our projections for students with a disability. We are likely to find that the actual enrolments will be different from those numbers, but they are our projections at this stage.

**MR SMYTH:** Okay.

**Mr Gniel:** Can I just make a point on that too, Mr Smyth? These are numbers from the August census that Ms Stewart is quoting. There is a difference between the February and the August numbers that we had previously quoted.

**MR SMYTH:** What number are we using for the current year? Is that the 1,890?

**Ms Stewart:** The most recent number we have is the February census—1,890, yes.

**MR SMYTH:** That is a 10 per cent increase for next year. Are there adequate funds in the budget to cover that 10 per cent and maintain the current level of service if not improve it? Then the question would be: if that is happening in the government sector, what is happening in the non-government sector and how do we predict the growth there?

**Ms Stewart:** Around our funding, I am probably a little bit out of—

**Mr Whybrow:** I am happy to talk about funding. In relation to 2012, the remainder of this year, and the 2013 calendar year, we are confident we have got the resources to meet all of those special education demand issues.

**MR SMYTH:** On page 404, indicator (a) on disability education, 97 per cent of the students have an individual learning plan. You are going to take that up to 100 per cent. So how many extra learning plans is that?

**Mr Gniel:** Three per cent of that 1,890.

**MR SMYTH:** Is there an average cost on what it is to put together an individual learning plan?

**Mr Gniel:** No.

**MR SMYTH:** Is that able to be calculated, or does it vary so much?

**Dr Bourke:** It would be student-centred and, therefore, the costs are going to vary according to the particular disabilities of the child and their personal circumstances.

**MS HUNTER:** That is usually put together by the teacher, and there is some consultation with parents?

**Ms Joseph:** And any other service providers that would be working with the family. There is no concept of an average disability. Once you go to averages in funding, you are actually watering down the whole conversation that is around complexity and individuals.

**Mr Whybrow:** Can I just add to the question I just answered? Annually there is also an enrolment adjustment, technical adjustments that occur at the start of the new year. That is another component to the existing framework where you have increased numbers. The directorate gets increased funding reflecting the increased number of students.

**MR SMYTH:** You do not have the numbers for the non-government sector. How do we determine the funding for children with a disability who go to the non-government sector if we do not have the projections?

**Dr Bourke:** It would be the responsibility of non-government schools to develop their own projections, surely.

**MR SMYTH:** But you are the minister for all students in the ACT, so you have some responsibility—

**Mr Whybrow:** Again, the census in February—

**MR SMYTH:** No, I am sorry. You do have responsibility for all students in the ACT, do you not? You are the minister for all students.

**Dr Bourke:** I do not have, as minister for education, the same level of information and control over non-government schools as I do over government schools. You will appreciate that that is because the non-government—

**MR SMYTH:** That was not the question. You are the minister responsible for the education of all the students in the ACT?

**Dr Bourke:** I am the minister for education, yes.

**MR SMYTH:** So you take responsibility for all students?

**Dr Bourke:** Pardon?

**MR SMYTH:** So you take responsibility for all students, school students to be educated in the ACT? You have that responsibility?

**Dr Bourke:** ACT education is my ministerial responsibility, and that is through the Directorate of Education and Training. My responsibility for non-government schools is covered within the Education Act and relates to their registration.

**MR SMYTH:** You are the minister for education responsible for all students in the ACT?

**Dr Bourke:** I have answered your question.

**MR SMYTH:** I do not think you have.

**THE CHAIR:** Mr Whybrow, did you have something to add?

**Mr Whybrow:** As I just mentioned, the census figures form the basis for the per capita allocations to schools. In 2013 we will have actual February census numbers. The payment will be based on those actual numbers. That happens for the non-government sector as it does for the government sector.

**MR COE:** Back to 404 and the accountability indicator on early intervention. Can you just give some additional background about those indicators and, in particular, under the parent satisfaction figures, some background as to how those figures are derived and the information that is contained therein?

**Ms Stewart:** The parent satisfaction figure relates to a survey conducted of parents with children in those programs. The survey goes out towards the end of first term or the beginning of second term, so after the children have been able to participate in the program for a while. They get to complete a survey form about their satisfaction with the program that their child is involved in. There are a number of questions in that survey and they are asked whether they strongly agree through to strongly disagree. The indicator in here is collated from the results of that survey.

**MR COE:** The target is 90 per cent and the estimated outcome is 90 per cent, and then next year's target is 90 per cent. Is there a reason why we would not be striving to improve on that?

**Ms Stewart:** The actual results have been a little bit higher than that over the past few years. We have been achieving around 98 per cent satisfaction over the last few years with that particular program. I think the people within the program are striving for a very high satisfaction rate and that is reflected in the results from the survey. We have not collected that survey this year yet, so it is a bit hard to say where it is going to come out this year. We are dealing with several hundred parents. It is a fairly small group of parents that get surveyed in response to that, so there can be some variability. But it is pleasing that consistently we are achieving over 90 per cent with that particular satisfaction survey.

**MR COE:** What is that estimated outcome based on then?

**Ms Stewart:** It is based on the fact that we really do not know where the survey results are going to come in this year. We are aiming for 90 per cent. So our best estimate at the moment is that we would expect that we would get a 90 per cent, at least, outcome on that particular survey. But until we collect it, we do not actually know.

**MR COE:** So should that not be available, or something along those lines, as opposed to just assuming?

**Ms Stewart:** We are required to put an estimate in and that is our best estimate that is available at the moment.

**MR COE:** Is it the same every year, that you do not get this information until after 30 June—until after the budget process, rather?

**Ms Stewart:** We do not get this information in time for the budget papers. We will have the information available by 30 June, which will go into our annual report. So it will be published in the annual report.

**MR COE:** In terms of the budget which we are looking at, this indicator is really not overly helpful, given that the information is not available for the financial year in which there is an estimate?

**Ms Stewart:** That is the case with some indicators. We do not have any better information on some of the indicators in the budget in order to provide results. We already have results available on some of them and we do publish them in the budget papers. But this particular indicator will be available shortly and will be published in the annual report.

**MR COE:** Can I suggest that in future years you have a footnote, in effect giving that background?

**Ms Stewart:** It is an estimated outcome, and we estimated it to the best of our ability at that point in time. It is not an actual.

**MR COE:** The basis for which you have not got yet, though, because the studies have not been compiled.

**Dr Bourke:** That is why it actually says “estimated outcome” at the top of the column.

**MR COE:** Yes, but what is the estimation based on?

**Ms Stewart:** It is based on our belief that we will actually achieve 90 per cent, based on previous years’ information, and the fact that we will be conducting the survey shortly. We do strive to have very high satisfaction rates. So that is the best estimate we can put in at this point in time.

**MR COE:** It just seems to me that either a footnote or revising that indicator would

be a better step forward. In indicator d in early intervention, which we talked about in the past, what are the significant changes in that ratio, the cost per child? Is it the denominator or the numerator, or both?

**Mr Whybrow:** If you refer back above, you are talking about it being based on an estimate of a number of children of 400 rather than an estimation of the number of children at 450. That is the biggest driver. The other component in this, like all other elements of our cost per students going up, reflects primarily the impact of the teacher EBA and the wage price adjustments. That is a significant impact in the total overall cost that flows through as well but, for that one in particular, it is driven by the service providing its service to a projected reduced number of students.

**Mr Gniel:** Can I add to that as well? In 2012 we have increased the early intervention programs from 35 to 37, and that will also impact on that.

**MR DOSZPOT:** Minister, there are currently four schools catering specifically for students with a disability in the ACT—Cranleigh and Malkara junior schools and Woden and Black Mountain schools from years 7 to 12. Do all four schools offer a similar range of programs?

**Dr Bourke:** No, these schools are quite different, different on the age groups that they cater for, different on the level of disabilities that they cater for. But I will get Mr Gniel to go into more detail.

**Mr Gniel:** Yes, that is correct. I am sure you have visited the schools as well and seen that there are different programs in place. There are also different facilities available for students. It is based on the model of parent choice. Those are only four of the wide range of choices that parents can have, depending on the level of disability that a student may have, of the best place for those students. But you will be aware through the disability act that parents do have that choice about where they send their children to school. So we strive, through the standards for education as well, to make sure that we meet those needs, wherever that choice may be.

**MR DOSZPOT:** You have answered part of my question. Is it primarily on a geographical basis that students elect to attend either a north side or a south side primary or high school, or are they directed? I think you have answered that.

**Mr Gniel:** I can add to that follow-up question by saying that that one decision maker that parents use about where the student goes to school is geography, but the programs that are on offer as well as the facilities that are available are obviously others. So most parents in those situations would go and talk to the principal of the school about the programs that are on offer, what the philosophy is behind that school, much like any parent would do in terms of school choice, and then make some of those decisions from there. In terms of the transport to and from those schools too, that is funded for those students.

**MR DOSZPOT:** Would there be a level of counselling with the parents as well to help them with that decision?

**Mr Gniel:** Yes, absolutely. I think there are extensive discussions for students

particularly with complex needs about where the best placement for the students may be, and that is directly in consultation with the parent. At times the students are involved in that discussion as well, depending on their age and abilities.

**MR DOSZPOT:** And SCAN would play a part in that process, I should imagine.

**Mr Gniel:** The SCAN is around the additional funding and eligibility for some of the programs. And that forms part of that decision making as well.

**MR DOSZPOT:** Is the same range of support services available at all schools?

**Mr Gniel:** I would answer yes, with just a qualifier that they may need to seek additional support in different ways. For example, one of the things that we are doing at the moment is building the hydrotherapy pool at Malkara, which is a recognition that that is a really important part of the program in some specialist schools and specialist settings for some students with additional needs. Not all schools necessarily have hydrotherapy pools, as you can well imagine. Those are the sorts of things that can be negotiated between schools as well.

**MR DOSZPOT:** What consultation does a school or the directorate undertake with other directorates, such as Health and Community Services, in determining the level of support that is to be provided at a school for a student? Does that form part of the SCAN process?

**Mr Gniel:** No, that forms part of the individual learning plan process. Ms Joseph, I think, talked earlier about us making sure that all players are participants, particularly where parents will like Therapy ACT to be involved or any other agency that may need to be around the table at that time. We have also had instances of health professionals being a part of that discussion as well. I think the other thing for us is that we do have a disability education reference group that we work with that includes parents and members of groups from certain sectors of the disability community whom we talk to on a regular basis about those issues and the ways to best meet the needs of those students.

**MR DOSZPOT:** So who undertakes the SCAN assessment?

**Mr Gniel:** The SCAN assessment is worked through by school counsellors, and the funding model comes from that.

**MR DOSZPOT:** In answer to a question I asked in estimates last year, the Health Directorate advised that the Woden school is expanding its role in 2012 and that there would be more young people requiring nursing support. Presumably that was based on enrolments at Malkara and Cranleigh. Why is a nurse not an ongoing position at Woden school?

**Mr Gniel:** We are currently working with Health around that issue. And I think that came up in their session the other day. Health make the determination about the level of healthcare requirements in schools. It is certainly an area that we work really closely with Health about, and, as you have rightly pointed out, the complexity of those needs is increasing for us. Woden school is a school that has some of those

complex health needs, and Health are engaged in the kinds of healthcare support services that are required for those individual students. That is not something that obviously the principal is in a position to make those judgements on. We defer to health professionals about the kind of support that they require.

**MR DOSZPOT:** The Chief Minister, in her capacity as Minister for Health, told estimates last Thursday that a full-time nurse was based at Woden school and would be for the remainder of this year.

**Mr Gniel:** That is correct.

**MR DOSZPOT:** At the very same time, the parents of the student who have been fighting for a nurse at the school were being advised by officers within the Health Directorate that healthcare assistants would replace the nurse from next month. Can you explain what is happening in this case?

**Mr Gniel:** It is a Health issue in that they employ those officers to provide those services. I am not aware of any change to the provision of service.

**Dr Bourke:** What did Health say when you asked during the Health estimates?

**THE CHAIR:** He just read that out.

**MR DOSZPOT:** They told us that it would continue. The Chief Minister said the position would continue. Yet the parents—

**Dr Bourke:** Did you ask the question about the information that has been provided to parents by Health?

**MR DOSZPOT:** That was happening almost at the same time. The excellence in disability education strategic plan states that school leaders take responsibility for the education of all students and plan programs by utilising an evidence base to consider how the resources provided are deployed to support the students' ILP. Do you think leaving a student who is incontinent for so long that soiling his pants in front of his classmates is appropriate care of a student in the ACT public school system and facilitates quality of learning outcome for the student? We are talking about some very deep issues where a nurse is required.

Quite frankly, I am at a loss to know what else can be done. The parents are requesting it and have been requesting it for over 12 months. The Chief Minister gave an assurance that it would be happening, and even with her telling us last Thursday that it is happening, the parents were being told by the department, by Health, that it is not happening. What I am asking is—and I have asked this in disability as well—that someone take responsibility, whether it is the minister for education, whether it is the minister for disability. The minister for disability does not want to know about it. She says it is an education matter. The education minister just said it is a Health matter.

**Dr Bourke:** No, I asked why you had not asked that question.

**MR DOSZPOT:** I have done everything I can. I think it is time you did something on

this.

**Dr Bourke:** Thank you for bringing it to my attention.

**THE CHAIR:** We will let Mr Gniel answer the question, please, members.

**Mr Gniel:** The answer is that it is a shared responsibility. And I agree with you that we need to provide that service to that child. We do that in connection and partnership with the health professionals that are in the best position to provide that care. I will not speak about individual children, but at the Woden school and other schools where there are complex health needs we work with Health, as do the principals, on a daily basis with those health professionals, to make sure that the needs of those students are met. In terms of the nurse being provided for the remainder of this year, that is still the case.

**MR DOSZPOT:** And a further question on that—

**THE CHAIR:** A final question, so I can ask a question.

**MR DOSZPOT:** Why is having a nurse at Woden such a big issue when all the other special schools have nurses? Why does this school resist an asset to their school that could actually help the child and that the parents have been pleading for?

**Dr Bourke:** What is the evidence of that resistance?

**MR DOSZPOT:** Excuse me?

**Dr Bourke:** What is the evidence of that resistance? Mr Gniel has already told you that there is a nurse there. You said the school is resisting. How do you know they are resisting?

**MR DOSZPOT:** Because the principal believes he does not need a nurse.

**Dr Bourke:** How do you know that?

**MR DOSZPOT:** I have been told.

**Dr Bourke:** By whom?

**MR DOSZPOT:** Do I have to spell it out for you?

**Dr Bourke:** Yes.

**MR DOSZPOT:** The principal.

**Dr Bourke:** The principal has personally told you—

**MR DOSZPOT:** The principal is in discussion with the parents and he has indicated to the parents that he does not think his school needs a nurse. The parents, who look after the child, who know what is required, are telling him that he does need a nurse.

The Chief Minister indicated, “Yes, we will put someone in until this issue is resolved.” This issue is not going to be resolved. This child is not going to get better. It is not a situation that will improve. I do not want to make this a personal issue, either, but I think something has got to be done and I cannot think of a better forum than this for you, minister, to take it on board.

**Dr Bourke:** You could have contacted my office. You could have raised it with me in any other way but you chose to do it here.

**MR DOSZPOT:** Minister, I think you will find this has been raised at a number of levels, but I am glad to hear you say that you are going to look into it now. I look forward to your intercession on behalf of the parents.

**Dr Bourke:** I will allow you to put those words into my mouth, Mr Doszpot.

**THE CHAIR:** Thank you, members. I am actually going to—

**MR COE:** This sort of gamesmanship really does not do justice to these children, does it?

**THE CHAIR:** Thank you, Mr Coe! Mr Coe, please direct comments through me.

I am going to ask a question now. I have actually got a question in relation to the work experience and structured workplace learning programs. I want to get a bit more of an explanation as to how young people with disabilities in public schools are supported through those programs. Also, is there any strategic planning that goes into how this is done?

**Mr Gniel:** So around post-school options for young people with a disability?

**THE CHAIR:** It is a work experience and structured workplace learning program.

**Mr Gniel:** Okay. The House With No Steps is contracted to provide work experience for students with a disability in years 9 and 10. My understanding is that this year there has been a request for 77 of those students to have work experience opportunities. Fifty-five of those have been placed and—

**THE CHAIR:** Yes, and how are young people supported to actually engage with those programs? I know CSD provides funding for the House With No Steps program, but how are young people through the public schools supported to engage in those work experience programs from your perspective as the education department?

**Mr Gniel:** As part of the ILP process, and also what will be some of the pathways planning for students with a disability as well, those placements around workplace and social placements are part of that ongoing discussion with parents and also with the child, as I have talked about before. The support then is through House With No Steps and the connection with House With No Steps to monitor and manage how that happens in a work environment.

**THE CHAIR:** Also, is there any sort of logged or centralised planning support

offered? Is there any strategic planning also in terms of who gets involved with those placements? Is that primarily—you said it was through the ILP.

**Mr Gniel:** At the school site?

**THE CHAIR:** It is just through that. Is that what you are saying is the strategic planning and the planning process for determining who goes into those places?

**Mr Gniel:** That is for the individual child part of it. I guess that that is a strategic planning process of mine, Ms Bresnan, around sitting down with the parents and actually discussing, through their ILP, what this child's interests are, where might be an appropriate placement for those children to gain that work experience that we are talking about and then working with House With No Steps who facilitate that as well.

**THE CHAIR:** Did you say there were 70—

**Mr Gniel:** Seventy-seven.

**THE CHAIR:** Is that a static number every year?

**Mr Gniel:** No; it changes.

**THE CHAIR:** Mr Hargreaves, do you have a question?

**MR HARGREAVES:** No, I think it is too close to morning tea and I am starving.

**THE CHAIR:** You are going to have to wait a few more minutes. Ms Hunter?

**MS HUNTER:** Yes. We had CSD in here the other day and we were asking questions about the therapy assistance program. I am interested to hear from the department of education and the minister your thoughts on how that program is going?

**Mr Gniel:** I will answer that question.

**Dr Bourke:** Thank you.

**Mr Gniel:** The therapy assistance program is part of those partnerships that I have been talking about. It is, again, the connection with the people that have the expertise. We were talking before around health professionals and their level of expertise to cater for the needs of students with complex medical requirements. This is, again, making sure that we are working with our partners in Therapy ACT who provide those programs within the school settings. It is something, Ms Hunter, that I have been aware of at a principal level as well.

The principals are very encouraged by that program and were very supportive of CSD in terms of their getting the money to continue that program. We will be working really closely with them to make sure that we do get the benefits for our young people that that program provides. So, yes, we are very supportive of it.

**MS HUNTER:** It is a pilot at this stage.

**Mr Gniel:** That is right.

**MS HUNTER:** So you are going to be involved in the evaluation?

**Mr Gniel:** It had been a pilot previously. This is an extension of that work. We certainly had discussions with Therapy ACT around our perspectives on how that is working, and that will continue.

**MS HUNTER:** I also wanted to find out how we are going with implementing recommendations out of the Shaddock review.

**Mr Gniel:** Yes, you will be aware that there were options provided by the Shaddock review.

**MS HUNTER:** I was about to say “findings”.

**Mr Gniel:** “Options” was the word. We developed our strategic plan for disability education—excellence in disability that Mr Doszpot referred to earlier—from the options provided by the Shaddock review. We are continuing to implement a number of actions from that strategic plan, one of which you have raised earlier through Therapy ACT. One of the actions within that was to develop an agreement with Therapy ACT for the provision of services. We are also developing that with Health currently. They are some of the ones, I guess. There is a whole raft of things that we are doing in that space that I can talk about if you would like me to continue.

**MS HUNTER:** Probably just more generally, but progress reports—are they—

**Mr Gniel:** Yes, so we provide progress reports to the disability education reference group at the meetings and get some feedback from them on how they see we are going as well. We also provide an annual report to the chief executive—I cannot remember whether it was the director-general or chief executive at that time—around the first year of that process. We will be doing that again in the coming months as well.

**MS HUNTER:** Are those reports publicly available?

**Mr Gniel:** No, that one was not. Actually, sorry, I think it is on the website. I would have to check, Ms Hunter.

**MS HUNTER:** Is it on the website?

**Mr Gniel:** Yes, I can check for you.

**THE CHAIR:** Will you check that?

**MS HUNTER:** Yes, could you check to see if we are able to get that? Is the work experience program that Ms Bresnan was talking about included in this strategic plan?

**Mr Gniel:** Certainly, the components of the strategic plan are about the partnerships model—partnerships with stakeholders. So that fits, obviously, very nicely within that

strategic plan, which you would hope. It is also about connecting with the families and making sure we are hearing from them about their wants and wishes for their young people. So, yes, that is contained in that strategic plan.

**MS HUNTER:** Are we able to have a copy of that strategic plan?

**Mr Gniel:** Absolutely.

**MS HUNTER:** Thank you.

**Mr Gniel:** That is freely available.

**THE CHAIR:** Thank you, so that will be provided?

**Mr Gniel:** Yes.

**THE CHAIR:** Mr Smyth?

**MR SMYTH:** I will defer to Mr Doszpot.

**MR DOSZPOT:** Thank you, Madam Chair and Mr Smyth. Minister, I refer you to budget paper 3, page 106, the budget initiative \$1.54 million over two years for disability special needs transport. How many students require special transport to attend ACT public schools?

**Mr Gniel:** The number that we currently transport is around 600.

**MR DOSZPOT:** How many students with a disability who attend mainstream schools require special transport?

**Mr Gniel:** Sorry, that is a total number.

**MR DOSZPOT:** That is a total number?

**Mr Gniel:** The total number is 600.

**MR DOSZPOT:** How many of those would be to special schools?

**Mr Gniel:** I would have to get those figures for you about the breakdown of who goes where.

**MR DOSZPOT:** I would appreciate that.

**Mr Gniel:** We can certainly do that.

**MR DOSZPOT:** What did these additional funds of \$1.54 million cover?

**Mr Gniel:** Those transport costs for the 600 students.

**MR DOSZPOT:** That is total costs?

**Mr Gniel:** No, that is not the total cost. Mr Whybrow can give the total cost.

**Mr Whybrow:** I think I mentioned yesterday that it is in the order of \$4.3 million. This provides \$1.5 million extra to that, so a total cost there of—

**MR DOSZPOT:** We were discussing aspects of the system, yes.

**THE CHAIR:** What consultation was there with parents, carers and young people? In allocating that \$1.5 million, what consultation was done to determine that?

**Dr Bourke:** It was not a change in the level of service provision; it was an increased cost from the service providers that was required to deliver the same service.

**THE CHAIR:** I understand that. I am also asking if there was any consultation with other people outside—

**Mr Whybrow:** The driver of this, as the minister said, was through renegotiated contracts with service providers. That was the driving point. It was not about change to levels of service. The things that we talked about the other day were around that need for the length of the runs and ensuring that people are not on buses for longer than 75 minutes. In that sense, it was about continuation of a service rather than a change to the service.

The other thing that we mentioned the other day was around there being eligibility criteria for this service. The service will continue. There are no plans for the department, from the whole of government, not to have the service continue in its current form. What we were talking about was who was best placed to provide that service.

**MR DOSZPOT:** Does this cover things like taxi costs as well?

**Mr Whybrow:** It does as well. My understanding—Ms Sharma might be able to help—is that, of that total break-up, it is in the order of \$400,000 to \$500,000, which is the taxi component of that total service.

**Mr Gniel:** If I could just add to that, Mr Doszpot, it does change at times, too, and this relates to Ms Bresnan's question as well, around making sure that the child at the centre of these discussions—there are times when a child may be best placed to be travelling via a taxi that could then also travel via bus, so there is some movement between those services depending on the needs of the child. Also, there are the service providers and our accessibility to buses that are wheelchair accessible, for example, and taxis that are wheelchair accessible. All of those things change the costs around providing that transport. But the eligibility for that transport has not changed.

**MR DOSZPOT:** Are all children with special needs that attend government schools eligible for transport assistance?

**Mr Gniel:** No.

**MR DOSZPOT:** How do you determine their eligibility?

**Mr Gniel:** There are eligibility criteria about who is eligible for transport services.

**MR DOSZPOT:** So you have got 600 students overall—

**Mr Gniel:** Out of the 1,800, 1,900, yes.

**MR DOSZPOT:** Who get this assistance?

**Mr Gniel:** That is right.

**MR DOSZPOT:** Is this same transport assistance available to students in non-government schools?

**Mr Gniel:** No, not that I am aware of.

**MR DOSZPOT:** Any reason why not?

**Mr Gniel:** I can only answer that from the government schools' perspective: the funding that we receive for transporting students is for transporting the students that are enrolled within the government schools.

**MR DOSZPOT:** Minister, do you have a view on that? We are talking about how the Shaddock review is bringing in an equitable way of looking at disability, whichever sector children go to school in. Would you not see this as being something that you would want to address?

**Dr Bourke:** No.

**MR DOSZPOT:** No? Okay. Thank you.

**Mr Whybrow:** Can I just add this? I took a question on notice about this subject; that is the only reason I am bringing it up now. The Keir's contract expires on 30 June 2014, with possible extensions to the end of 2016.

**THE CHAIR:** Thank you. We will break for morning tea

**Meeting adjourned from 10.30 to 10.46 am.**

**THE CHAIR:** We can spend a bit more time specifically on disability education and then move specifically to non-government, but there is crossover, as we have seen this morning. I want to ask a couple of questions. We have already talked about post-school options a bit today. I want to ask some more questions specifically around that. I think that last year's annual report, and the hearings, indicated that 40 students with disability were leaving school at the end of the year. That was last year. Do you have a figure for how many students from both mainstream and special schools will be graduating this year?

**Mr Gniel:** I do not have that figure, but I can certainly get that for you quite quickly.

**THE CHAIR:** Okay. One thing that we have heard quite a bit from parents on is that they would like to have planning on post-school starting at an earlier stage.

**Mr Gniel:** Yes.

**THE CHAIR:** So that they can start planning, for example, at the beginning of year 9. Is the directorate looking at starting that process earlier?

**Mr Gniel:** Yes—

**Ms Joseph:** Just adding there, it aligns with our approach to the youth commitment that we referred to yesterday. You are mentioning the individual learning plans for students with a disability, which exist right through their school lives. Together with that, through the youth commitment for all students, we have a pathways planning approach, which is looking at where students transition to after their formal schooling education. Students with a disability are included in that process. What we are trying to do is align and connect the plans into one planning exercise. The individual learning plan primarily is about what happens in the school, and the pathways planning is what happens after school.

**THE CHAIR:** When does that pathways process start?

**Mr Gniel:** Year 5.

**THE CHAIR:** It goes through? Year 5?

**Mr Gniel:** There is a process through the youth commitment planning around having that as the start place eventually. There has been career planning happening for many years in our government schools as well, obviously.

**THE CHAIR:** I know that, but one of the things I said we have heard from parents is to start that process so that once the child gets to year 12 there is a clear idea of what will happen when they graduate.

**Ms Joseph:** That commitment to the pathways planning is across all sectors, across the ACT, and is supported by all the agencies, and the youth sector as well.

**Mr Gniel:** Just to add something, there are a couple of important parts there. The directorate meets with Disability ACT every second month to discuss these issues, particularly around transition. It is, for us, around passing the baton of the service providers in those areas. In terms of your question around earlier, we have taken that. That is why the House With No Steps works with those students in both years 9 and 10. That takes it back. Previously Disability ACT were providing services in years 11 and 12, but we recognised that that pathways planning and the transition arrangements in response to the parents' concern needed to happen earlier. So there is that element, and then there is also the element that Ms Joseph was talking about.

**THE CHAIR:** We have probably asked this before in annual report hearings, but are you finding that there is capacity there to meet the demands of the number of students

coming through, to provide them all with meaningful options when they are leaving school?

**Mr Gniel:** I think that is the key connection with Disability ACT, so that they know the numbers of students who are coming through—that they are connected well before that year 12 leaving position as well. The planning is happening earlier for the parents and the student, but also for the service providers so that they are aware of that. I would answer that by saying that that is a shared responsibility. It is something where we work closely with Community Services through Disability ACT.

**Ms Cover:** Could I just add to that in terms of the options for funded programs that the directorate looks after? Last Friday I mentioned the PSP program and also the ACE program. There is \$2.5 million annually in the PSP program. One of the key criteria or the focus areas for the PSP program is students with a disability. And there is also the ACE program, which is a quarter of a million dollars annually.

I will just touch on a couple of examples of programs that have targeted students with a disability in the last 12 months. One was on autism spectrum disorders and social media that we funded. There was another one on training students for participation in the retail sector and training in building their skills and capacity to operate in the retail sector. There was another one on music for people with disability, classes. There was a social participation project supporting people with disability to develop confidence in assessing social participation opportunities, and another one on capacity building for parents and primary carers of children and young people with a disability. That program focused on parents and carers of children and young people with a disability—to access training and tools to support them in engaging with their children and young people on social safety and relationships. They are just a couple of examples of the programs that the directorate looks after.

**Ms Joseph:** I also note in budget paper 3 that CIT has been provided with additional funding to support the CIT year 12 program and the disability support area. We work closely with CIT in regard to the transitioning of our students into their programs.

**MR DOSZPOT:** Just a supplementary on that. You mentioned quite a number of programs there, Ms Cover. Is dyslexia included amongst all this?

**Ms Cover:** I have not identified the specific disabilities in those programs. I could get that information for you. It is disability overarching as a criterion, not specific to dyslexia.

**MR DOSZPOT:** So dyslexia is not considered a disability?

**Ms Cover:** I am saying that, in terms of identifying those programs that I just talked about, I do not have the specifics about which students had dyslexia who participated in them.

**THE CHAIR:** I was asking about post-school options.

**MR DOSZPOT:** I am sorry.

**THE CHAIR:** That was the question.

**MR DOSZPOT:** I would be interested in any programs that do include dyslexia.

**THE CHAIR:** Mr Hargreaves, do you have a question?

**MR HARGREAVES:** Not on that one. On non-government education, I do.

**THE CHAIR:** We will probably go for another 20 minutes on this and then go to non-government.

**MR DOSZPOT:** We are still on disability?

**THE CHAIR:** Yes.

**MS HUNTER:** I note that the federal government recently announced that the ACT will benefit from 84 identified disability education coordinators—is that the case? Can you outline how and when these coordinators will be integrated into schools and how many families and carers will be able to access this support?

**Ms Joseph:** Through that funding we are looking at all schools having a disability education coordinator. The timing of that—I think it is term 3, but I will defer to Mr Gniel.

**Mr Gniel:** The identification of disability education coordinators in every one of the ACT public schools is something I mentioned yesterday. That will allow those people within schools to know that there is a dedicated person who is the conduit for a lot of that information and knowledge that can be passed across networks as well as across the system. There will also be a direct contact for the disability education section within the directorate. There is training going to be provided for those disability education coordinators. Part of the funding is to provide the training, and there is also some time allocated to schools around how they will best utilise that resource.

The other component of the funding, which is more support for students with a disability, which you are referring to, Ms Hunter, is that we are currently working with the University of Canberra on training programs. That will be for all staff around training. There are connections with the rest of the country in terms of jurisdiction.

It has been through that discussion around consistent data for students with a disability where the University of Canberra developed some training according to best practice in disability education standards and how they are implemented in the higher education university. We are having the University of Canberra modify those for teachers within our system. New South Wales, for example, is using the same process. They are looking at some online training for principals around the disability education standards which we will also be able to access.

So there is some really exciting work happening at the national level about people coming together in the best interests of supporting teachers and training around working with students with a disability.

**MS HUNTER:** How is recruitment for those positions going?

**Mr Gniel:** For the disability education coordinators?

**MS HUNTER:** Yes.

**Mr Gniel:** They are identified people who are already within schools. It is not a matter of recruiting new positions.

**MS HUNTER:** This would be part of their weekly job?

**Mr Gniel:** That is right.

**MS HUNTER:** To do this work?

**Mr Gniel:** Yes, and through the support that is provided through that national partnership.

**Dr Bourke:** An augmentation to their skill set.

**MS HUNTER:** So there will be existing people in the schools. Which positions would they be—or is each school going to decide?

**Mr Gniel:** Sure; it is up to schools. I think you can understand that across the 84 schools there are varying levels of complexity, so it will depend. For example, we have specialist schools that will be asked to have a disability education coordinator. I think some of that will depend on the training that we are going to provide. There is also the sophistication at the school level around where they are up to with their understanding around providing those services. Already there are some schools that have identified people in leadership positions to be disability education coordinators.

In other schools, though, where there is a classroom teacher who has a great deal of knowledge about special needs and how to cater for kids, they are the obvious person to have as the disability education coordinator. It will be based on individual schools making that decision, but we will certainly help in terms of guiding them around the best people for that role.

**MS HUNTER:** The directorate is going to have to find savings over the coming year. In the past when efficiency dividends were applied there was a decision to quarantine inside the school gate and look at central office. And in the past I think there was a cut to a position in the department around disability. Are we going to see further cuts to directorate or central office people?

**Dr Bourke:** I have asked the directorate that they should not implement any savings initiatives which affect front-line services.

**Ms Joseph:** In the past we had identified some potential savings in the disability education system. After consultation, we did not proceed with those savings. And for the budget savings for the current budget we do not anticipate impacting on the schools.

**MS HUNTER:** A motion that I got through in March covered a number of things, including assessing the need for young people, families and carers around the post-school options. We have talked about that and Ms Bresnan asked that question. There were also ones around best practice for day services and so forth, which would sit with the Community Services Directorate. Another one was around a longitudinal qualitative research sample around what happens to young people once they leave school and so forth. It is probably CSD who may pick that up, but from the Education and Training Directorate's point of view is there anything in that motion that you are progressing and, if so, how is that work going?

**Ms Joseph:** I think it is probably our mechanisms for consultation and working across government. We have already mentioned the Disability Education Reference Group with members from government and from the sector. We also have a Post School Transitions Joint Advisory Group to look at the post-school options. We also have a Cross-Sectoral Disability Education Steering Group comprising representatives of the Catholic, independent and public education sectors.

I would also make the point that, when the public school system launched our excellence in disability education and strategic plan, the Catholic Education Office launched theirs as well and there was a commitment from the 17 independent schools to align their work in that area. So I would say we are contributing to the outcome of those motions through the work we are doing, particularly with stakeholders and across government.

The other thing that we have not mentioned is that we are developing a guide to disability education services for parents. That work is being progressed through the Disability Education Reference Group.

**MS HUNTER:** And when do you think that might be completed?

**Mr Gniel:** As soon as possible. Working with the parents is making sure that the audience needs are met. Obviously that has taken some significant time to make sure that we try and cover as many of those needs as possible for parents. That is ongoing work, but it is certainly work that we recognise is important and we are trying to get it out there as soon as possible. There are also publications that I am aware of around the post-school options. We recently held a post-school transitions expo, which was attended by 450 people. So there is a lot going on in that space. We have an ACT transitions task force—I cannot remember the complete title—that has been in operation since 2006 and it works with that expo and also any other issues that are coming up from the constituents, the stakeholders.

**MS HUNTER:** This is probably outside of this output class but it is a more general one about the health of children in our schools. We have more students coming in who have allergic reactions to a variety of things and some of those will be students with disability. I am wondering what is happening with the government cleaning contracts and whether this idea of the impact of cleaning chemicals and so forth is being taken into account in those contracts.

**Ms Joseph:** Just prior to us going into that response, I would point out that we have a

health officer working one day a week directly in the Education and Training Directorate and that person supports the healthy approach to life through our school programs, so that person from the Health Directorate supports us with canteens, with PE, sports programs and implementing healthy responses through school education programs. I will pass to Mr Whybrow around the contract.

**Mr Whybrow:** In relation to our cleaning contracts, there are standard clauses that require the use of lowest impact chemicals. Our procedures ensure that those chemicals are used in schools. There is the use of tamper-proof chemicals in each school's storage so that only those chemicals can be used, so we are confident that that is the appropriate approach.

**Mr Bray:** If I could just add to the response, we have moved to a standard process where in our new schools and whenever we do upgrade works at existing schools we use what are called low volatile organic compound materials, including carpets, paint, furniture. So we are very conscious of allergic reactions. They are becoming more common and it is becoming a lot easier to get those materials from the industry suppliers. As we do our upgrades, we are gradually removing old materials and bringing in the newer materials.

**MS HUNTER:** So you are getting products with low off-gassing and that sort of thing.

**Mr Bray:** That is right, yes.

**MS HUNTER:** With the carpets, has there been a thought, Mr Bray, about whether carpets are the best thing to have in our schools? I know there is the argument that children sit on carpets and it is warmer and so forth. But there are other products, such as cork, that have been used in New South Wales schools that have the same warmth but do not have the issues around having to be cleaned. That is an ongoing issue with carpets and then of course the off-gassing and chemicals that are used to clean them.

**Mr Bray:** You are correct. The issue we do strike is that, particularly in the primary schools, even the senior kids are spending a lot of time sitting on the floor. I think if we put down the cork material we would soon find that rugs were being brought into the school anyway. It just seems to be the natural way of teaching to younger children. We are not against cork. We can talk to the relevant people from an educational perspective to see what other options they would like us to look at. As a facility provider, we are happy to look at any materials that the educationalists would like us to consider. I am happy to put that up for the next school we upgrade, the materials, but we do go to a lot of trouble now to get low VOC materials. It is a standard requirement now.

**MR HARGREAVES:** I have an overarching question on non-government education which may open up a discussion around relationship. There has been a bit of talk lately around resourcing of non-government schools, the differences between private and systemic non-government schools. We had a bit of a chat earlier on about the payments to schools around disability and I know there was some talk around the interest subsidy scheme and the changes around that. I would like to open up discussion around what is the government's overarching attitude towards the

partnership of non-government schools with public schools. We have got a new minister now, so what are you going to do that is different from what we have done in the past?

**Dr Bourke:** It is about choice. It is about parents choosing the school that they want for their child, and the government is supportive of that. We have in this budget provided \$53.2 million, an increase over the last 10 years of 70 per cent from the \$30.7 million that was provided in 2001-2002. I have also as minister been working with non-government schools, independent and Catholic schools through the non-government schools advisory council that advises me about the variety of issues in the sector; also through the Gonski roundtables that I have initiated following the publication of the Gonski report.

This is where I like to tell people we need to work together and we need to take advantage of our natural capabilities here in the ACT. We have got a small jurisdiction, which means we can get all the players around the table. At the Gonski roundtable forums we have had representatives not just from government but from independent schools, from Catholic schools and from both unions, the AEU and the independent union. We have had parent organisations, both government and non-government, represented. We have had the Indigenous education consulting body, the ACG, represented—all the players, all the people who are interested in education in the ACT, around the table.

Our first Gonski roundtable was done within a week of the publication of the report. That is the advantage that we have in the ACT: we can get people together quickly and we can work together to deliver a consistent message and develop knowledge. Some people have better resources, so they can find out more; other people are not getting to the same page yet, so these forums have given us the capacity to work together for the good of Canberra's children to get a good outcome through this process.

**MR HARGREAVES:** That sounds fairly comprehensive, that list of people who have been attending it. How many roundtables have you conducted so far?

**Dr Bourke:** I have had two so far.

**MR HARGREAVES:** And where do you do it?

**Dr Bourke:** We do it at the Hedley Beare centre in Stirling.

**MR HARGREAVES:** Yes. Because you rattled that off rather quickly, could you give us a list of those people who participated in the roundtables so that we can put it through the system? How many more do you intend to conduct?

**Dr Bourke:** As many as it takes until we get to where we want to be. As I have previously described, we have a federal minister who has said that he plans to start legislating before the end of this year. We are not certain exactly what he is going to legislate for. Discussions are happening around the ministerial councils about building the backbone for Gonski, particularly as we have talked this morning around disability education and the funding for that. This is a work in progress and I imagine we are

going to require many more roundtables to keep people informed and allow them to share their views so that we can work together to get the best outcome for ACT kids, because that is what I want as minister.

**MR HARGREAVES:** What I am picking up out of this—this will be my final question, Madam Chair—is that you do not have a predetermined position and that this roundtable is addressing Gonski and its application and its impacts for the ACT in the contemplative stage while you are waiting to see what comes, so that you have a position going forward. Am I right in assuming that this is a consultation process in the contemplative stage of what is going to be a dramatic change in education around the country?

**Dr Bourke:** The implementation of the recommendations of the Gonski review would be revolutionary. Here for the first time we have had a system of funding for schools which is equitable, which is transparent and which is focused on those most in need—something we have never had before. If we get that, there will be revolution.

**MR HARGREAVES:** Am I right in assuming that this is actually the consultation in a contemplative stage and that you have not actually got a predetermined position on it at this point?

**Dr Bourke:** Our position as a government is to support the recommendations of the Gonski review, recognising that there are issues around the SRS funding model and how that might be applied to the ACT.

**MR HARGREAVES:** Okay. Thanks.

**MR SMYTH:** Minister, if you are still in the contemplative stage and you are consulting, why have you cut \$1,454,000 out of non-government education output class 2 this year?

**Mr Whybrow:** It—

**MR SMYTH:** Sorry; could we have the rationale before we get to the details?

**Mr Whybrow:** It is a technical answer, so it is probably appropriate that I go to that. I presume you are talking about output class 2.1 on page 401, \$5.291 million, with a projected budget in 2012-13 of \$3.797 million?

**MR SMYTH:** Correct.

**Mr Whybrow:** That relates to how the ACT works. Being a small jurisdiction, there are two national partnerships where the funding has been provided and is being met and managed for both sectors through the directorate. They relate to the teacher quality national partnership and the literacy and numeracy national partnership. Essentially what has happened is that those two partnerships are coming to an end. Rather than them being replicated, the activity within the independent schools and the Catholic schools, we are working together. It is being centrally managed through the directorate and then that allocation has been applied to output class 2.1, which represents work that has happened by the directorate that supports the non-

government sector. I hope that answers your question.

**MR SMYTH:** So how will they access the funds that have been taken out at this time? They will go somewhere else for it or they just do not exist?

**Mr Whybrow:** There was a national partnership around those two things, teacher quality and literacy and numeracy, which are coming to an end. Those partnership funds, rather than being distributed directly to the sectors, have been managed collectively by the department, so we have one approach for the ACT for all schools and it is that program that is coming to an end, and it reduces the—

**MR SMYTH:** So have the funds totally ceased to exist?

**Dr Bourke:** It is commonwealth funding.

**Mr Whybrow:** It is a commonwealth national partnership.

**MR SMYTH:** So the funds have ceased to exist?

**Ms Joseph:** Can I just add to that, if that is okay? In relation to the—

**MR SMYTH:** Sorry; before you add to it, do the funds just stop? Do they dry up? They run out?

**Ms Joseph:** The national partnership for teacher quality and the national partnership for literacy and numeracy have a defined period of three years, so in signing up for the partnership there was a cross-sectoral agreement in applying for those funds from the commonwealth. In getting those funds from the commonwealth we had to implement different programs. Part of the implementation plan and part of the agreement between the sectors was how the national partnership money was going to be divided up across the sectors to fulfil the three-year requirement around the national partnership. The Australian government has not made any announcements about further funding for those national partnerships specifically. Overall I think there are 18 national partnerships that we work with the commonwealth government on.

**MR SMYTH:** A very simple question: the money ceased?

**Ms Joseph:** The money finishes for those two national partnerships, yes.

**MR SMYTH:** In the following year, 2013-14, if you go to page 423 of budget paper 4, you show a 29 per cent cut to the non-government sector this year and these two programs finishing. It then drops another 38 per cent in 2013-14. Is that another program or series of programs finishing as well?

**Ms Sharma:** The two national partnerships which were mentioned are improving teacher quality and literacy and numeracy. In fact the literacy and numeracy is ending in 2012-13. And there are some funds for improving teacher quality in 2012-13 as well as in 2013-14. The further reduction relates to the final year of improving teacher quality in 2013-14.

**MR SMYTH:** If you now look at page 422, you see the government payment for outputs for public school education. Why does it not drop by a similar amount?

**Ms Sharma:** Which year are you referring to?

**MR SMYTH:** The coming year, 2012-13.

**Ms Sharma:** For 2012-13?

**MR SMYTH:** We see the non-government sector drops by 29 per cent but the government sector actually increases by five per cent.

**Ms Sharma:** The increase in 2012-13 represents \$24.4 million, which is a five per cent increase. That significant amount relates to the newly negotiated teacher EBA increments. That is around \$21 million, taking into account the super. There are some new initiatives, as you have seen, in budget paper 3 totalling around \$5.2 million, plus the ongoing initiatives from the previous budget of around \$0.8 million. That is the significant increase relating to it. However, there are offsets in relation to the national partnership program. There is a component in relation to improving teacher quality as well as the literacy and numeracy national partnership.

**MR SMYTH:** How much did the public sector lose?

**Ms Sharma:** If you look at the total for literacy and numeracy, it was around \$2.12 million in 2011-12. There have been some rollovers. In terms of the contribution between government schools and non-government schools, based on the teachers, it was around 60 per cent and 40 per cent. There is a reduction of 60 per cent reflected in the government schools output class and 40 per cent reflected in the non-government schools output class.

**MR COE:** I asked about the registration process for non-government schools. It is quite a thorough process that can be quite consuming for schools during that period. Do you see any improvements that can be made to that registration process?

**Dr Bourke:** I am satisfied with the registration process as it is currently occurring. You are quite right: it is a slow process and you would want that to be a thorough process, to make sure that we are going to get the kind of school that will be looking after our children in the ACT. Ms Garrisson could tell us some more about the process, thanks.

**Ms Garrisson:** The registration process for non-government schools occurs usually every five years and really is a compliance process looking at the regulations around curriculum, around facilities and around staff by and large. It involves a team of experts which includes principals from the public sector and non-government schools and various people from finance to work with them.

They visit the school in one term, just for a preliminary visit. It involves the non-government school providing a report, very much a brief report, and then in term 3 there is a visit to the school which takes around two to three days. We are looking at making sure that it is not what it used to be. They would visit and meet with staff and

students and it was a bit of a show and tell. It no longer takes on that profile, except, of course, all schools want to showcase what they do really well. At times that panel of experts will be involved in seeing some of the great work that happens in the schools and sharing their experiences. But that happens.

Then a report is written and provided to that school, which does have some commendations around what they have found but also recommendations if they have not been compliant, requesting that do become compliant. It could be around curriculum, it could be around the facilities or areas that they need to be complaint in. It is seen as a helpful process.

A report is then written for the minister to agree to that registration for the next period of years. At times it may only be provided for one year if a school has areas that really do need to be improved or rectified. The registration period may be restricted to one year, two years, three years or whatever.

**MR COE:** Are there any recommendations that seem to be quite frequently made in general?

**Ms Garrisson:** No. I would have to say it is on a case-by-case basis. Each school would have different issues. In recent times there have been some policy areas where the school has not, in their policy documentation, reflected the legislative requirements or is not meeting the curriculum requirements. This is in some schools. This is not general. It really is on an individual basis—some around the information and evidence that they have been able to provide, which is around their compliance with occupational health and safety issues. So I cannot say to you that there is a general trend in any way. It really is on an individual basis and it changes each year.

**MR COE:** Do you know whether schools, specifically independent schools, tend to engage external consultants to assist with the registration process?

**Ms Garrisson:** Not to my knowledge at all.

**MR DOSZPOT:** I take you back to budget paper 4, page 405. I missed the beginning of this session. I hope this has not been asked. Accountability indicator d, satisfaction with the processes of the non-government education section, is 87 per cent. Why is it so low?

**Ms Stewart:** So low—87 per cent?

**MR DOSZPOT:** Compared to everything else, which is in the 90s and 100 per cent.

**Ms Stewart:** I cannot comment. I can comment on the process and how the data was collected. I am not sure. As a survey person and a statistical person, I would say 87 per cent is low, but perhaps Ms Garrisson can comment on the feedback that is—

**Ms Garrisson:** This is a historical figure. If you go back and have a look over the past annual reports and other estimates documents, it is a historical figure that has been placed there. It is about the section within our directorate and therefore is reflective of, as I said before, the historical data. We are looking at this. We are actually looking at

improving that indicator because we really want also to focus on home education and a whole range of other services that we provide. We want to send it out to a larger group of people to comment. It goes out to a very small section of people and therefore, as a statistical piece of information, it does not actually provide us with very much.

**MR DOSZPOT:** How many people are employed in the section?

**Ms Garrisson:** Within the liaison unit, which involves non-government schools, we have four people. They work at registration of non-government schools, they also look after home education, distance education, community liaison with non-government school parents and government school parents and they are also involved in exemption certificates across both non-government schools and government schools. There are four people who work incredibly hard to provide that service but in addition, with the registration process, we obviously utilise people from outside that section in both government and non-government schools and within other sections of our directorate.

**Ms Stewart:** Mr Doszpot, may I please clarify, because I may not have interpreted your question correctly? The target is 87 per cent, and again we have not run that collection. However, last year we did achieve 100 per cent satisfaction with the services provided. So I did just need to clarify that.

**Dr Bourke:** And you would expect, within a robust system, that there may be some dissatisfaction when outcomes are not as schools desire.

**MR DOSZPOT:** I have no doubt. I am simply trying to understand what is being done. Can I make an observation? There is a question in it as well. It appears that roughly 40 per cent of children attend non-government schools. Having a staff of four that looks into the non-government education part of it, is that—

**Ms Garrisson:** Our role with non-government education is really around the regulation and compliance element of the schools. We do not have any quality control, apart from through a registration process, of the delivery of education in those schools.

**MR DOSZPOT:** I am not suggesting quality control but could there be a little more interaction, perhaps, between the non-government and the government sectors, if such a large number of children are in the non-government sector?

**Dr Bourke:** And that is why we have already initiated cross-sectoral principal forums where we get the principals across all sectors—government, Catholic and non-government—together so that we can provide information. In fact, I have already addressed a least a couple of those forums.

**MR DOSZPOT:** Yes; I have heard about that.

**Dr Bourke:** Good.

**MR DOSZPOT:** I think it is commendable that that is happening.

**Dr Bourke:** Thank you.

**MR DOSZPOT:** But what I am asking is: given we have got a great education system overall and we have got a good 40 per cent of people in the non-government sector, is there too much work for those four hardworking staff you mentioned, especially if we are perhaps incorporating some other aspects of more cooperative activities? That is all I am asking. Is there any plan to expand on the non-government section?

**Mr Whybrow:** If I point you back to that non-government schools output class, recurrently we have had expenditure in there of the order of \$2.3 million allocated for that support component. That is not just the four people we are talking about. It also incorporates an allocation of senior executive time in that. We do spend our time not only on government school issues but also on non-government school issues. I remind you as well about the BSSS's function that provides support to both. That is included in that as well, as is the Quality Teacher Institute.

So there are a range of our services. It is more than just those four people who work with non-government schools. There are a number of people in their daily jobs and it could go down to the finance staff who actually pay out that \$200-odd million worth of grants to the non-government sector. That is work that is there that supports the sector. It is not just the four people that we are talking about.

**Ms Joseph:** If I could just add to that, we have cross-sectoral working relationships on a number of things that are education focused. We are leading the country in implementing the Australian curriculum. The cross-sectoral collaboration that happens at the principal level, at the teacher level, the curriculum coordination level, I think, is envied by many other jurisdictions. The publications that the directorate puts out around the quality teaching model, around implementing the Australian curriculum, around putting resources in the hands of all teachers across the ACT are very strong and are replicated in a number of areas besides finance, particularly in our teaching and learning areas and, as I said before, the cross-sectoral disability education reference group. So I think, because of the size of our jurisdiction, we are able to do that and actually add to the quality in all schools across the ACT.

**MR DOSZPOT:** I know that there is such a good spirit of cooperation and involvement between the sectors. The NG sector, in their budget submission, proposed support for a new interest subsidy scheme for capital works. Was this considered and, if so, what were the reasons for not funding such an interest subsidy scheme?

**Dr Bourke:** All budget submissions are considered. The government decides which submissions will be successful, based upon policy and the needs of the community.

**MR DOSZPOT:** That is new information for me, minister. I am glad you told me about that. What I am asking is why, if there is such cooperation—obviously, there is a very big sector; 40 per cent of our children go to non-government schools. The interest subsidy scheme was a very successful way of addressing the needs of that community. Why has the government dismissed it, as you have just so casually dismissed the way this was looked at? Why is the interest subsidy scheme not being given some more gravitas?

**Dr Bourke:** I am glad you have asked that question, Mr Doszpot, because, as you will recall from the evidence from Mr Whybrow earlier this morning, the interest subsidy scheme benefited those schools that are best able to provide their own support, the better resourced schools. It has therefore failed our desire for equity in the provision of government funding.

**MR DOSZPOT:** So some—

**Dr Bourke:** Please, let me finish.

**MR DOSZPOT:** Okay.

**Dr Bourke:** But I will go back to Mr Whybrow who can provide some more detail.

**Mr Whybrow:** I guess there has been a range of submissions that were presented. I will refer to the AISs and the discussions you had with them as well. When they were talking they did not specifically say, “This is what we want.” They raised the issue around support in this space. There are some elements, because it gets talked about again in comparisons of what happens in the ACT to elsewhere, around what are levels of support for capital. So there are some levels of support for capital for non-government schools in the ACT, and that—

**MR DOSZPOT:** Such as?

**Mr Whybrow:** Non-government schools are not charged for land. My understanding is that in other jurisdictions they are charged for land. There exemptions around land tax and payroll tax. There are a number of exemptions as well. There was also an issue, which is probably an issue that the AIS correctly referred to—discussions they were having with Treasury—which was around access to the government’s interest rate. That is the way I believe it was put by Mr Wrigley. Those issues are really subject to our financial management framework. For me, that is really talking about whether—you get into a space of the only way that could happen in my mind would be around the government acting as a guarantor.

Then you get into very much a Treasury situation under section 47 of the FMA relating to the Treasurer’s decision to do that and the policy adjustment around that. From the information we got from NG sector and also from the Catholics and the AIS, there was not a common approach of just turning this back on as it was in the past. There is an issue around capital support which was raised more generally, and that is why I do not think it is as simple as turning back on an existing system which, inherently, has—these are not my words, but what was reported Lindsay Connor about issues of equity but also potential issues about the best use of funds.

The detail of the operation of that scheme had things like there being a maximum cap. You sign up to a 10 per cent interest rate. A 10 per cent interest rate is not very good value for money now. There is potential for arbitrage in that situation.

**MR DOSZPOT:** Sure.

**Mr Whybrow:** I guess what I am trying to say is that the issue that we understood from the submissions that we saw, and on which provided advice to cabinet for their decision making, was that there was not an issue on which the answer is “do that; that is what everyone is saying”. It was an issue around capital and, again, that is another issue that is the Gonski report because it is about total funding and capital being one element of it.

**MR DOSZPOT:** Mr Whybrow, your answers, as always, are superb. Thank you very much. I understand that.

**Mr Whybrow:** I am sorry.

**MR DOSZPOT:** I thank you for the answer.

**Dr Bourke:** If I just say—

**MR DOSZPOT:** My question is—

**Dr Bourke:** If I might just supplement Mr Whybrow’s—

**MR DOSZPOT:** I am about to—

**Dr Bourke:** I am just about to supplement Mr Whybrow’s answer by including an exemption on rates as well as land tax.

**MR DOSZPOT:** I would like to go a little further than that, minister. What I am interested in is not so much the implementation process by the bureaucracy. I am interested in the policy and decision making of this government as to why this is not being pursued. My understanding is that the non-government sector is reasonably interested in resurrecting something. There are some aspects of that interest rate subsidy scheme that started a long time ago. Obviously, we cannot be looking at how it started. Interest rates have changed and things need to be put in today’s terms. But I would like to understand the government’s philosophy as to why it has not been considered as a policy initiative for funding.

**Dr Bourke:** As I said, all proposals were considered and it was decided not to pursue that on the basis of the past evidence that it was not delivering equitable outcomes.

**MR DOSZPOT:** So—

**MR SMYTH:** Sorry, but if it was not equitable, why not devise a scheme that met the outcomes that you wanted to get rather than just ditch the whole scheme?

**Dr Bourke:** Because an equitable scheme had not been suggested to us. You would expect the—

**MR SMYTH:** So that is beyond your ken? You have got a report that says that this is inequitable? So we will ditch it rather than put in the scheme that is. That is beyond the ken of the government?

**Dr Bourke:** You would want a scheme which is acceptable to the stakeholders. That would be for them to develop and propose a scheme which promotes equity. That would be then complied with—

**MR DOSZPOT:** But first off you have got to have a desire to actually want to do it—

**Dr Bourke:** It is a policy decision.

**MR DOSZPOT:** and I do not think the desire is there in the first place, otherwise you would look at it. My question is: would your government consider looking at this if you received a submission from the non-government school sector?

**Dr Bourke:** We consider all submissions that we receive.

**MS HUNTER:** I have a supplementary to that. Mr Whybrow, has there been analysis between the ACT and other states about what is provided in this area? You have just given a list of tax subsidies for land and so on that does not necessarily show up in other jurisdictions. Has an analysis been done?

**Mr Whybrow:** We have done an initial scan of the environment with our counterparts. I have had some discussions with others in other jurisdictions. I do not have a conclusive report on each on the levels of detail, the complexity that this actually gets into. State by state, the majority of those things actually are not department of education activities. As to the elements of whether there are exemptions in land tax, when I talk to my New South Wales colleagues, they say, “We will get back to you.”

So we have not done a comprehensive scanning around this exact issue. There are some things around different states and different states have very different arrangements. There are some that have some exemptions and some that do not. But I do not have an official report which is documented and confirms every state’s position on each of those positions.

**MS HUNTER:** Is that something that you are working towards?

**Mr Whybrow:** I think that is an interesting element. But I think the way that we will be working towards that will not be having the ACT determine what everyone does across the country. I refer back to the Gonski report. Again, this is part of a national report. There is an entire chapter—2.4—that talks about these exact issues around capital funding, what is the best way forward. So the ACT is not going to drive that but we are going to contribute to that.

**MS HUNTER:** As I recall from the Gonski report, there was a table that said that the ACT does not provide any capital and other states do.

**Mr Whybrow:** Part of developing the new model is an element around capital components. That was not one of the five headline things when you talk about a resource standard and about loadings. But it is there and it is further down the work program. But to put it quite simply, the ACT does not actually have the resource base or the capacity to develop that total position—

**MS HUNTER:** Sure.

**Mr Whybrow:** and we are engaged in this process. So to pre-empt it would not be something that I would be using our resources to do at this stage.

**MS HUNTER:** Okay. I wanted to go back to the registration of non-government schools. There are, as I understand it, three applications that are in at the moment. What is the timing for approval? When will those applications be decide upon?

**Ms Garrison:** Sorry, Ms Hunter, you are talking about in-principle approvals for new schools? Not the registration of—

**MS HUNTER:** Sorry, in-principle agreement.

**Ms Garrison:** Just clarifying.

**MS HUNTER:** Yes, certainly.

**Ms Garrison:** Obviously with the in-principle approval process, we have as of 11 May, I think, approval for seven schools or campuses. We have the Islamic School of Canberra for expansion to year 12 at its current site in Weston. We have the Canberra Christian school for a kindergarten to year 12 campus in the Molonglo development area. We have the Brindabella Christian school for kindergarten to year 12 campus on the previous site of Charnwood high school. We have the Canberra Muslim Youth Inc. for a kindergarten to year 10 campus in northern Canberra and we have the Catholic Education Office for a permanent site for a secondary campus in Gungahlin.

In considering all of those applications, once we have received an in-principle application, we place an ad in the *Canberra Times*. That ad goes in the *Canberra Times* seeking community input on those proposals. They have 60 days—that period of time—to provide input around that. Following that, we then provide to the minister the information that we have received around that so that a decision can be made.

**MS HUNTER:** So where are we up to?

**Ms Garrison:** I would have to take that on notice on all of those seven.

**MS HUNTER:** Thank you.

**Ms Garrison:** I am not quite sure of the time frame of that.

**MS HUNTER:** That would be good if you could do it.

**THE CHAIR:** That is taken on notice.

**MS HUNTER:** Within this analysis you do with these applications, what consideration is given to the potential impact on existing schools, whether they be government or non-government schools?

**Dr Bourke:** That is one of the criteria that is considered.

**MS HUNTER:** Yes; so how do you go about analysing that impact?

**Ms Stewart:** I can speak to that because I actually do that work within the planning area and within the demographic analysis. What we do is look at the schools that are in that region, both government and non-government. We take into account the projections. We do a five-year projection so we can look at how for each of those schools their enrolments are projecting. Then we also take into account the information that the applicant has provided in terms of what they think their target students are, where they think they might be drawing those students from.

We use that overall to look at the impact on the projections for those schools and their enrolments and also whether they are projected to be at capacity or under capacity in terms of their enrolments in the outyears. We can then provide some information about the impact of the application for the new school on those projections for surrounding schools and their capacities and their enrolments.

**MS HUNTER:** So it is thoroughly considered.

**Ms Stewart:** Yes.

**MS HUNTER:** Some schools that are setting up are new schools—the application is for a new school. Other applications are for a campus. How do they fall into these two categories? I mean, isn't a new school a new school? How does it become a campus rather than a new school?

**Ms Garrisson:** It is all actually part of the process. We have, I suppose, looked at how we can support those schools who are looking at developing a new campus, because it may have different year levels. It will be a different approach. So we have to look—they put in an in-principle approval process—at another campus off that site with additional year levels and a range of other factors that may come into play. So it might not be necessarily this school operating the same programs on this separate campus. It could be an extension and a change.

**MS HUNTER:** How many of the seven want to set up new campuses?

**Ms Garrisson:** The Catholic Education Office has requested a secondary campus in Gungahlin to an existing school. That is a campus, but it is taking on different year levels.

**MS HUNTER:** That is right; Nicholls.

**Ms Garrisson:** Yes. There is that one. The Islamic School of Canberra is not a new campus, but it is extending to one year. It has applied from its existing campus to expand to an additional year level—not a new campus.

**MR HARGREAVES:** Is Blue Gum a campus?

**Ms Garrisson:** No, Blue Gum is a school.

**MR HARGREAVES:** But did they not have two premises? They were in the Hackett premises, but I thought I read somewhere that they were going somewhere else as well.

**Ms Garrisson:** I would have to take that on notice. It is not information that is—

**MR HARGREAVES:** It was scaring the hell out of me. If you can let me know that is not happening, I would love to hear that.

**MS HUNTER:** And what about the Brindabella school?

**Ms Garrisson:** The Brindabella school is wanting to establish a new school, kindergarten to year 12—

**MS HUNTER:** So it is a new school, not a new campus?

**Ms Garrisson:** on the site of Charnwood high school.

**MS HUNTER:** Right. So it is a new school?

**Ms Garrisson:** Yes. Well, a new school in that setting. At the moment, they are putting it under the umbrella of the Brindabella Christian school that exists at this point in time.

**MS HUNTER:** Just to be really clear: it is going to be a campus of the existing school?

**Ms Garrisson:** Yes, I think so. That is the in-principle approval. It has not actually—

**MS HUNTER:** But it is the same year levels? Are there different year levels?

**Ms Garrisson:** It will be the same year levels but on a totally different site in a new setting, a new school. But it will still be under the umbrella of the Brindabella Christian school.

**MS HUNTER:** My understanding of the criteria for a campus would have been something slightly different to what was already in place. It does not seem to necessarily fit what I understand—

**Ms Garrisson:** It does not have to be.

**MS HUNTER:** It does not have to be?

**Ms Garrisson:** No.

**MR DOSZPOT:** I have a supplementary on that. The applications for new non-government schools—I am talking about Brindabella Christian college, Canberra Christian college, Molonglo and the Islamic school—how many submissions did the directorate receive in respect of these applications?

**Ms Garrison:** I would have to take that on notice. I do not have a number of the submissions that supported those in-principle approval applications.

**MR DOSZPOT:** We would like to get the information, if we could, on how many submissions. I am happy for you to take it on notice.

**THE CHAIR:** That has been taken on notice.

**Ms Garrison:** Can I just clarify that? The submission is a submission. Are you wanting to know how many community comments we received following the submission?

**MR DOSZPOT:** In respect of those applications.

**Ms Garrison:** Yes.

**MR DOSZPOT:** Are you obliged to take notice of responses to the application of a school? Are you obliged to take notice of the public response to that?

**Ms Garrison:** Yes, we are. Part of the criteria that we have to then report is the information that we received from that public comment after the 60-day period, in conjunction with the information we have around other demographics. There needs to be a demonstrated community desire for that.

**MR DOSZPOT:** Is it the same scenario if a government public school was about to be built somewhere? Do you have to take notice of community responses like that?

**Ms Garrison:** It is not a process that goes through this in-principle approval.

**MR DOSZPOT:** Why is that? The government just makes a decision and says, “We need a new school here”?

**Ms Garrison:** It is a planning process that would be done to meet the needs of those developing and new areas.

**MR DOSZPOT:** So why is it different for the non-government sector?

**Dr Bourke:** Because that is the Education Act.

**Ms Garrison:** This is part of the process that is embedded in the Education Act 2004 for new non-government schools.

**Ms Stewart:** We do consider the planning process in the same way for public schools as we do for non-government schools. We do projections. We look at the impact on surrounding schools, the capacity in surrounding schools. The planning process in that respect is very similar.

**MR DOSZPOT:** Is it usual practice for government schools to object to new non-government schools?

**Ms Garrison:** Once again, when I provide you with the submissions, the number of submissions that we get, it is not a usual practice that individual schools make comment around a new non-government school in that area.

**MR DOSZPOT:** Has any non-government school ever objected to a government school being built?

**Ms Garrison:** I am not in a position to provide any answer on that.

**MR DOSZPOT:** Can you take it on notice?

**Ms Garrison:** I do not believe we have any processes by which we gather that information.

**Dr Bourke:** That is not a process for decision making to build a government school, to seek public comment from non-government schools.

**MR DOSZPOT:** I am asking whether any non-government school has ever objected to the building of a new government school, minister. I think it is a reasonable question to ask.

**Dr Bourke:** Do you want to define “ever”?

**MR DOSZPOT:** I am sorry?

**Dr Bourke:** Do you want to define “ever”?

**MR DOSZPOT:** I asked the question.

**Ms Garrison:** Through our work we do not have a process to ask that question in the development of—

**MR DOSZPOT:** Did you ask—

**MR SMYTH:** Have you ever received correspondence?

**Ms Stewart:** Since I have been involved in planning for new schools, since the end of 2009, I have never received information about an objection from a non-government school.

**MS HUNTER:** Do you receive comments or feedback from non-government schools about another non-government school setting up in the area? Does that usually happen? Do non-government schools, the Catholic Education Office or the independent schools association usually come in and have a look or make a comment?

**Ms Garrison:** Generally it is people from the community who come in to view the applications.

**MS HUNTER:** I am just wondering, because I understand the P&C, for instance—

**Ms Garrison:** The ACT P&C council have viewed those applications when they have been advertised. That is the only body at this point in time that I am aware of as a collective body that has made that comment.

**MR SMYTH:** Mr Bray has come to the table. Do you have some knowledge of objections?

**Mr Bray:** No, I just want to add that, in relation to the issue of a non-government school objecting to a new public school, one mechanism would be through the development application process. I have been in the position for the last 4½ years and in relation to the new schools that we have built I have never seen an objection by a non-government school. We certainly have submissions lodged by residents about our schools.

**MR DOSZPOT:** I understand. It is a fairly simple question. Just on your last comment about the ACT council of parents submission, didn't the Australian Education Union also put in a submission?

**Ms Garrison:** Mr Doszpot, I took on notice a question regarding the submissions that we have received. I have not got that information here with me. I can provide that to you. I am aware that the ACT P&C council has—

**MR DOSZPOT:** Thank you. I look forward to the additional information. When will a decision be made on these applications?

**Ms Garrison:** Once again, I took that question on notice for those seven schools, to come back with the time line about each one of those.

**MS HUNTER:** You were saying that you advertise in the paper. Is that the only place that you let people know that these processes are in train?

**Ms Garrison:** Yes, it is a large ad that is placed when these are coming up.

**MS HUNTER:** It is in the public notices, is it?

**THE CHAIR:** Does it go on the website or anywhere else?

**Ms Garrison:** I will have to take that on notice.

**MR HARGREAVES:** It should be in the birth notices, shouldn't it?

**Dr Bourke:** Well, it is an expectation; it is not quite a birth—not until it is proved.

**THE CHAIR:** Mr Smyth, you had a question.

**MR SMYTH:** I want to go back to the interest subsidy scheme. I understand there was \$3.2 million left in the fund for 2012-13 and we have taken \$2 million out of that. What will happen to the remaining \$1.2 million?

**Mr Whybrow:** The program is still operating and it still is servicing a number of loans that last over a 25-year period. What I was talking about was the total value of the loan. The built-up amount is in the order of that \$2 million, with ongoing capacity being generated in the order of the \$1 million. It is probably not appropriate to talk about exact amounts. We cannot give exact amounts; some are based on fixed loans and some are based on variable loans so, as interest rates change, that impacts on the available funds that are then held for redistribution.

**MR HARGREAVES:** Can we have a list of the names of the schools that are still receiving the ISS, please?

**Mr Whybrow:** I will check.

**MR HARGREAVES:** On notice. I do not want it straightaway.

**Mr Whybrow:** I will check. The issue that we have is that we have a memorandum of understanding with each of our schools around the funding agreement. We would have to write to them and seek to have that information released.

**MR HARGREAVES:** Okay. I understand that it has been released to estimates before. We do not want to know the detail.

**MS HUNTER:** Even their names. Not necessarily the detail.

**MR HARGREAVES:** Just a moment.

**MS HUNTER:** Just the names. We do not want to know—

**Mr Whybrow:** I will check against the actual terms there to say that that is the case.

**MR HARGREAVES:** It has been released at estimates in the past, I just remind you.

**Mr Whybrow:** It is a fairly broad statement that says with any funding arrangements we need their approval before we provide it.

**MR HARGREAVES:** Not a problem. You have got five days.

**Mr Whybrow:** I am sorry?

**MR HARGREAVES:** You have got five days. Not a problem.

**THE CHAIR:** Okay.

**Mr Whybrow:** I need to take it past that process.

**Dr Bourke:** You need to consider their response time as well, Mr Hargreaves.

**MR HARGREAVES:** I know. And these people, because they are gargantuan institutions, should be really prompt in their response.

**Mr Whybrow:** I am just highlighting the fact that I have to ask someone. If they say no—

**MR HARGREAVES:** Not a problem.

**THE CHAIR:** We understand that.

**MR SMYTH:** So the moneys remaining in the scheme are there to service the existing need if required?

**Dr Bourke:** No; it is a dividend that comes out of the scheme. The successive loans are repaid.

**Ms Sharma:** Currently for 2012-13 the interest subsidy scheme funding of around \$3.4 million is there in addition to the \$2 million. So the \$2 million is for the disability one.

**MR SMYTH:** So after the \$2 million there is \$3.4 million.

**Ms Stewart:** It is \$3.4 million for 2013, and with some indexation in the outyears, so it is ranging from \$3.4 million to \$3.5 million. As Mr Whybrow has mentioned, there is expected payment in the remaining fund of around \$1 million. It is expected that as the number of loans reduces, depending upon the variability of the interest rate, there is capacity to have funds in that surplus in that interest subsidy scheme.

**Mr Whybrow:** Probably the best way to put that is, as Sushila has said, that the annual component of that loan is not, as I have been saying, around 3.2, but 3.4, and it does get indexed, like everything else. That is the amount and then there is a capacity, as loans come off, that the amount that is not earmarked is growing over time.

**MR SMYTH:** Thank you.

**MR DOSZPOT:** Madam Chair, can I have your indulgence to backtrack a bit to a government public school question?

**THE CHAIR:** Yes.

**MR DOSZPOT:** Thank you. Minister, my office has been contacted by a parent of a year 10 student at Melba high who was advised yesterday that the year 10 cohort is being moved to the Melba Copland campus. Can you tell us what is going on there?

**Dr Bourke:** He is at Melba high and he is going to move campus? Which is Melba high? Melba Copland is a two-campus school. Can you be more clear about it?

**MR DOSZPOT:** Year 10 students from Melba high, the whole cohort, are being moved to the Melba Copland campus—the whole of year 10.

**Dr Bourke:** Melba Copland has two parts. What you are saying is that he is being moved from one part to another part? Or is he staying where he is?

**MR DOSZPOT:** He is not being moved. The whole of year 10 is being moved.

**Dr Bourke:** So they are all moving?

**MR DOSZPOT:** They are all moving, yes.

**Dr Bourke:** They are all moving from one site to another site?

**MR DOSZPOT:** Correct.

**Dr Bourke:** Is that your question?

**MR DOSZPOT:** That is my question.

**Ms Joseph:** It would be the principal's responsibility to make that decision. Principals make those types of decision in consultation with their school community. I am not aware of that decision directly, but we can follow up and find out exactly what decisions have been made and what consultation has been made through the regular channels at the school.

**MR HARGREAVES:** Could you also let us know how far it is between the two—between Melba high school and Copland?

**MR DOSZPOT:** Look, it is—

**MR HARGREAVES:** I would like to know.

**THE CHAIR:** So that is taken on notice.

**MR DOSZPOT:** No, but—

**THE CHAIR:** I have to say that it is taken on notice because of *Hansard*. Thank you, Mr Doszpot.

**MR DOSZPOT:** My question is not about the distance. We are talking about year 10 students moving to a college environment.

**MR HARGREAVES:** That is your question. This is mine.

**MR DOSZPOT:** The parents are concerned that the year 10 students will be in a college environment. We are not talking about the distance, minister.

**MR HARGREAVES:** I am.

**THE CHAIR:** Thank you, members.

**MR DOSZPOT:** I do not know what you are talking about, Mr Hargreaves, and I do not care.

**THE CHAIR:** Thank you, members. Please.

**MR HARGREAVES:** That is none of your business.

**THE CHAIR:** Please.

**Dr Bourke:** It seems a very popular thing in the structuring of non-government and independent schools, isn't it?

**MR DOSZPOT:** I am asking you. You are now saying that you are not responsible for the government sector? Is that what you are saying?

**Dr Bourke:** I never said that.

**THE CHAIR:** Ms Joseph would like to speak.

**Ms Joseph:** Principals make decisions all the time on where classes are going to be located within their school environment. I would see that this is a decision like that. They also decide what programs come on and off line at different times throughout the year. With a school operating over two campuses, as I say, that is a principal's decision. I am of the understanding that it has been on the agenda at the school at least for the last 18 months.

As I said, we can find out more about the decision making process and the consultation process that has occurred with the school community. Similarly, in a school with just one campus, it might be changing where the four-fives have been and putting them at the other end of the school which has previously been for K-1s or whatever.

**MR DOSZPOT:** Ms Joseph, I fully support principal autonomy. We are talking about a slightly complex case where we are talking about the whole cohort. Would parents not be taken into consideration and consulted on such a major move?

**Ms Joseph:** I have said that we will follow up and find out what the consultation process has been. I would assume that, in principals making decisions about programs and locations of classes across a school, the regular consultation mechanisms are through the school P&C, through the school board, and also possibly consulting with network colleagues, parents and students, I would say, in this instance. I am assuming that would be the case. They are the regular channels a principal would use. We can follow up with Melba Copland and find out exactly what the consultation process has been, what is the time line, what is the decision making, what are the transition arrangements, and what are the support arrangements being put in for individual students and families if it is a major change for a particular family.

**MR DOSZPOT:** Are you saying that the department has not been consulted on this at all?

**Mr Bray:** Madam Chair, I have just got an email through from my staff that might clarify it. We are doing some significant upgrade works at the Melba campus, the high school campus. We are moving the year 10s down to Copland for one term while we clear the area for the upgrade works.

**MR HARGREAVES:** Whoops.

**THE CHAIR:** Thank you, Mr Hargreaves. We do not need a comment.

**Mr Bray:** I have just got the rest of that through. I am probably trying to separate it. At this stage what we are doing is a temporary shift for one term as distinct from a permanent relocation.

**MR DOSZPOT:** As I say, I do understand the principal autonomy issue. But what concerns me is that the parents are concerned about the environment that their children are going to go into with older students. It is that parental concern that I am concerned about if they have not been consulted about such a major thing. So that is my question to you.

**Mr Bray:** I will get some more information and pass it back through the executive. But normally our processes with a move like this, a temporary arrangement, would be consulted through the principal as our normal operation. They obviously consult with the board, and usually the P&C, through any sort of major change like that. I suppose it comes back to what Ms Joseph was saying—that the principal liaises with us and with the school community. We take their advice and we do our work accordingly.

It is probably worth noting—just roughly, in terms of separation, the two sites are about a kilometre and a half apart—that the Copland site itself has had a large amount of upgrade works done over the last few years. In terms of accommodation capacity, there is no issue with having proper and appropriate accommodation for the year 10 students that were shifted there. It would not be a case where they were being shoehorned into tight spaces; there is sufficient area within the Copland campus to accommodate them quite comfortably. The issue you raised about the social relationships with the older students is something that the school would have to manage. I will get some more details, taking that on notice, and bring that back to the committee.

**MR DOSZPOT:** Thank you very much.

**Dr Bourke:** Of course, in some of our colleges we have high performing year 10 students having their own classes, as you would have noticed at Gungahlin college when you visited there.

**MS HUNTER:** Mr Whybrow, you gave a very good explanation before of government and non-government funding. It will be in *Hansard*, but is it possible for you to put that together for the committee in some sort of sheet?

**THE CHAIR:** A summary?

**Mr Whybrow:** Yes, certainly. I am happy to do that.

**MS HUNTER:** Thank you.

**MR HARGREAVES:** You pointed to a lot of the things, misunderstandings and

misinterpretations. Some of it is innocent and some of it is not so innocent and having them side by side would be very helpful.

**Mr Whybrow:** I am happy to do that.

**MS HUNTER:** Minister, I wrote to you on the issue of Downer preschool. There are some new arrangements that are going on there.

**Dr Bourke:** Administrative arrangements?

**MS HUNTER:** Administrative arrangements. It has been under the administrative control of Majura primary. This has changed. It is now going to be run by Lyneham primary. You sent a letter back, saying that the move was made to manage an increase of kindergarten enrolments at Majura. I thank you for your response, but I just had a few more questions about that. Firstly, what are the implications of this move for Downer parents and children in terms of the existing buddy system that is in place between Downer preschool and Majura primary school? Is the relationship going to be interrupted in any way by the administrative change?

**Ms Johnston:** The decision around the Downer preschool being linked administratively to Lyneham primary school is one of the strategies that we have been using in order to manage the growing demand at Majura primary school. In fact, three years ago, I think, we changed the administrative relationship for Hackett preschool from Majura to North Ainslie. We will say that in that case it took a year or two for the strong relationships that had been built previously with Majura to then be rebuilt with North Ainslie.

What we have also done as another part of the strategy is to change the PEA for the Downer area, not by shifting it only to Lyneham but by increasing the choice that parents have. They can send their students to Majura primary school, North Ainslie primary school and Lyneham primary school. The parents who are there at the moment and who live in that PEA will still have the opportunity to send their students to Majura, Lyneham or North Ainslie.

The principals of Lyneham and Majura, and North Ainslie in fact, are working together—they are part of the same network—to ensure that the transitions over the next couple of years are as smooth as they can be for the young people. We anticipate that over time the relationships with Lyneham will be built in the same way as they have been built with Majura.

**MS HUNTER:** The changes have sparked a little anxiety that children who attend Downer preschool in future will not be able to go on to Majura but will be redirected to Lyneham. There are some parents concerned about Northbourne Avenue being in the way, for instance, as far as travelling to school. But generally they are concerned that the changes mean they will not have that option for Majura.

**Ms Johnston:** At the moment they do have that option. The department's role is to make sure that we can manage the demand and ensure that the facilities that we have are being used—that we optimise that use, I guess. For the moment, the idea of having that joint PEA is that the parents have the choice. Typically, the students from

Downer move on through the primary schools in the network to Lyneham high school. That was part of the consideration, because that is a clear pathway as well.

**MS HUNTER:** Has there been any work done on projections in that area around whether there will not be space at Majura? What is happening with Majura enrolments? I am assuming that everybody who is within area at the moment can comfortably get into Majura?

**Ms Johnston:** Yes, and certainly for next year we are really confident about that. I would hand over to Tracy to give the forward projections.

**Ms Stewart:** The projections tell us that Majura is certainly under pressure. There are some new developments happening in the north Watson area. We have been putting in place a number of initiatives because we have been aware of the pressure that Majura is under for quite a few years.

One of the other initiatives that we are putting in place is to increase the capacity at Majura, which will be completed by June 2013. Majura will move from what we call a three-stream school—meaning three classes per year level—to, once the expansion has been completed, a four-stream classes per year level school. We are projecting that there will continue to be some pressure at Majura for a few years to come. As I said, we are putting in place a number of initiatives to deal with that pressure at the school.

**MR DOSZPOT:** I have two more questions on the previous question I asked. Minister, there is a suggestion that this move of Melba Copland high to Melba Copland college campus is basically because of declining enrolments at Melba Copland. Is that correct?

**Dr Bourke:** I think we have just heard evidence from Mr Bray previously that the reason a class has been moved from one campus to the other is to allow for upgrade work at the old Melba high school. You would hardly say there was any evidence for the question that you have asked.

**MR DOSZPOT:** That is one of the reasons given. I am asking you: is there declining enrolment at Melba Copland and has that played a part in this move?

**Dr Bourke:** I do not believe that it has played any part in this move at all. Why would it?

**MR DOSZPOT:** I am asking you.

**Dr Bourke:** Kids have been moved so the upgrade can happen. Why does whether or not something is happening with enrolment have anything to do with it? What is your suggestion?

**MR DOSZPOT:** You are asking me?

**Dr Bourke:** No, I am trying to get to the bottom of the question.

**MR DOSZPOT:** The question was very simple.

**MR SMYTH:** Yes. Are enrolments declining?

**MR DOSZPOT:** Are enrolments declining?

**Dr Bourke:** It was in two parts. Let us have a talk about Melba Copland enrolments.

**Ms Stewart:** I do not actually have the enrolments for Melba Copland with me, but I can certainly get that data back to you.

**MR DOSZPOT:** Thank you. We are not trying to make this difficult. I am asking questions, which is what we are here to do.

**THE CHAIR:** That has been taken on notice.

**MS HUNTER:** I also just wanted to follow up with the University of Canberra high school and how the arrangement is going. What is happening there as far as being able to attract new students?

**Dr Bourke:** When I visited the University of Canberra high school at Kaleen I was pleased to see that the arrangements with UC are being beneficial to the high school as well as getting some synergies for the University of Canberra, which is why the program was initiated.

**Ms Joseph:** The deed of agreement for UC schools is an agreement between the University of Canberra, the University of Canberra Lake Ginninderra college and the University of Canberra high school Kaleen. The outcomes and objectives of the collaboration between the three organisations are about improving pathways for students in territory high schools through to college and to tertiary education. It is also about providing opportunities for teachers' professional development and engagement with academics of the university.

It is about increasing the awareness of and demand by school students for alternatives and options in the tertiary sector. It is also supporting university-led research for the development of innovative practices and effective teaching. It is about providing interprofessional learning and practice opportunities for delivery in schools, which includes opportunities in health, youth and justice studies, speech pathology and other professional areas of the university. It is about attracting and sharing resources and benefits to both parties.

I can provide for you the annual report from the program. It reports specifically on key achievements in relationships between the two organisations. Initial data from open evenings for university high school Kaleen and for Lake Ginninderra is that the number of people attending their open nights recently was in excess of the previous number. In terms of early indication of enrolments, Kaleen had no enrolments at all this time last year. They have currently got 26 for next year. Lake Ginninderra, similarly, is up by about 50 per cent at the same time. I use those numbers with caution because they are only indicative enrolments. The enrolment process does continue.

I think that from that strong collaboration we have seen lots of activity, including all Lake Ginninderra students being provided with access to the University of Canberra library. They also have access to university clubs and societies. At the high school site there is a year 7 literacy mentoring program where pre-service teacher education students from the university actually go in and support the programs at Kaleen. As well, there have been some joint funding applications to some innovative and special programs that the university has access to. I think we can actually see in the first 18 months or so of the collaboration that there have been relationships, networking, professional learning opportunities and the opportunity for students to aspire to possibly different pathways than they have seen before.

**MS HUNTER:** Do you go out to the feeder primary schools to promote these programs, rather than just waiting for the open nights? Is there a proactive approach in terms of talking to families and parents in the feeder schools?

**Ms Joseph:** Yes, there is. Again, that is reflected in all of our schools and it is reflected in our network approach. It is about how our primary schools relate to the high schools and relate to the colleges. We have a number of different models of education in the ACT. We have got our early childhood schools and we have got P-10 et cetera. It is about giving parents the confidence at the transition points, whether it is between campuses or between schools. It is about giving confidence to parents, students and teachers about what happens at those transition points.

Many of the conversations through the networks—and our network principals meet regularly with their network leaders—are about understanding what happens at those transition points and modelling the teaching and learning, so that teaching and learning practice happening at a primary school—and it might be in the area of a language—are actually replicated in the high school and replicated through to the college. It is those clear pathways. Specifically with the University of Canberra schools, Kaleen high school have gone to the feeder primary schools in the area to talk about their programs. I believe they regularly have year 5 and year 6 students going to the Kaleen campus for different sorts of activities. That sort of program would be reflected in all of our high schools across the territory.

**MS HUNTER:** Thank you.

**THE CHAIR:** Mr Smyth, do you have a non-government school question?

**MR SMYTH:** I will defer to Mr Doszpot.

**MR DOSZPOT:** Thank you, Madam Chair. I was out of the room on a couple of occasions today so, if this has been asked, I apologise. I have a few questions on early intervention.

**THE CHAIR:** Mr Coe asked a couple of questions, but we will see.

**MR DOSZPOT:** Let me ask the questions and we will see. The number of eligible children with development delays and disabilities who attend an early intervention program is 400, minister. Is there any unmet demand?

**Mr Gniel:** No. The capacity of each—of the full program is 312 at any one time. There are not full-year services. There is some rolling of students through that. That is why the outlook indicator is a throughput measure. So there is no waiting list or anything like that.

**MR DOSZPOT:** That is good to hear. I believe that there is an average of \$4,691 for 2011-12. How many hours does this represent?

**Dr Bourke:** That is an average cost, isn't it? It would depend upon the individual needs of the individual child. But is that actually worked out?

**Mr Gniel:** I am looking for the exact hours for the programs. There are different programs, as you would be aware, Mr Doszpot. I was just looking at whether I had the number of hours for each of those programs. I may need to get back to you about the actual hours.

**THE CHAIR:** Do you want to take that on notice?

**Mr Gniel:** Yes.

**MR DOSZPOT:** Sure, that is fine.

**Mr Gniel:** The hours for the particular programs, there is a range I can provide.

**MR DOSZPOT:** I would be interested to see the range. The number of hours—is that a set number of hours per child? Is there a cap on it?

**Mr Gniel:** There is a set number of hours that the program runs for, yes. For example, I use one, the early childhood intervention units. Eligible children access their local preschool units and the supported preschool process for additional sort of classroom support where required. That is done through our area as well as working with the schools. So that is one. But they are not all units. So in terms of the list of different units that are available, I think I said before that there are 37 in total. I would need to get some further information, if you would like it, on those particular programs.

**MR DOSZPOT:** Thank you. What sort of contributions do parents make to those services?

**Mr Gniel:** Sorry, Mr Doszpot, can you repeat that question?

**MR DOSZPOT:** Sure. Is there a parental contribution to some of these services?

**Mr Gniel:** No, not that I am aware of.

**MR DOSZPOT:** Okay. And parental satisfaction apparently flatlines at about 90 per cent. Is that—

**Mr Gniel:** I think that was answered before, Mr Doszpot. My understanding is that last year it was 98 per cent.

**MR DOSZPOT:** I go back to the Auditor-General's report on early childhood schooling. Four early childhood schools—Lyons, Narrabundah, Southern Cross and Isabella Plains—were established in 2009 to focus on early childhood education and early intervention. I guess this question is more to the minister. As the report indicated on page 6, while the schools provide programs for all children, it was expected that they would provide support for ACT children who were socially or economically disadvantaged. However, minister, this has not happened. Why has the department not identified and targeted children in these categories if that was the intention when these schools were established?

**Dr Bourke:** That was the inference of the Auditor-General, but I will get Mr Gniel to go into more detail.

**Mr Gniel:** The Auditor-General's finding was not that that was not being provided for; it was that we could do that better. I think we need that to be stated very clearly. In fact, the Auditor-General's report stated that the programs that existed were actually very well placed to support the additional needs of the number of students that we have in our community. Within those particular programs, the Auditor-General provided some advice and recommendations to make those better. I think you have seen through the report that the department has agreed with all of those recommendations and we will be working on those improvements over the coming years.

In relation to your initial question as well of making sure that we are targeting students that have those additional needs, that is something that occurs in every school. So it is not, as I think Ms Hunter talked about, a salt and peppering of those needs across Canberra. Those needs need to be met wherever that child turns up to school in any of our public schools.

The early childhood model, though, which is a wraparound service which is based on a universal access model, provides, I think, a model that supports that in a different way. You would be aware that there is a childcare component in those programs as well and some connections with health that, I guess, are additional services to those actually in some of our government primary schools, for example.

**MR DOSZPOT:** I am just going from memory here, but if I recall correctly, I think the Auditor-General also made comment about the fact that certain groups of children who were meant to be included in this just were not even in the picture.

**Mr Gniel:** I am doing this from my memory of it, too, Mr Doszpot, although I have read the Auditor-General's report quite extensively, as you can imagine. One of the areas that the early childhood schools were established to do was actually to target services for students and families with specific needs. That is the case. As with any school, we need to target the services we need.

I think the Auditor-General's report was particularly about targeting the young people that are in the environment of the school to have them coming to the school to benefit from those wraparound services that I talked about. I think the key component for us is how we balance that with the parents about where students are going to school. I

mentioned before that when parents make a decision about which school to go to, location is one element of that. Religion can be another, as you are aware, and all kinds of things.

To finish that answer, parents with siblings, for example, that go to a local primary school may choose the local primary school for early childhood services rather than transport their child to an early childhood school because it is one drop-off and they want that on the way to work. So there are some practical elements in there around how do we target those services to those most in need and balance that with the reality of the situation about how parents choose their schools.

**MR DOSZPOT:** I think it talked about specific groups such as, I think, Indigenous children, who were not included. There are either small numbers or perhaps they do not even play a part in it. Is that correct?

**Mr Gniel:** The report was also on Koori preschools; so there were some recommendations around Koori preschools. Within early childhood schools, again, the same issue is there around the parents that choose to enrol their students there.

**Dr Bourke:** One of the things that the report did bring out, Mr Doszpot, which is important to note, was the overrepresentation of Indigenous children in the ACT preschool system, which means that our suite of offerings is attractive to Indigenous parents and that we are getting more Indigenous kids into those preschool areas than would otherwise be the case. I think that is actually really rather important to know.

**MR DOSZPOT:** I beg to differ. My recollection is that it specifically said that there were not enough Indigenous children in these specific schools that we are talking about.

**Dr Bourke:** No, I was talking overall, not preschools, Mr Doszpot.

**MR DOSZPOT:** I am talking about these specific ones. My recollection was—I stand corrected if I am wrong—that there were not enough Indigenous children in these areas.

**Mr Gniel:** I can answer that also. That recommendation that you are alluding to, Mr Doszpot, was about Koori preschools. In terms of the total numbers of Aboriginal and Torres Strait Islander children of that age, that was about there not being the same number enrolled in the actual Koori preschool program. So the recommendation was about making sure that we work with the community to build the confidence and the recognition of the benefits of those students attending Koori preschools.

But, again, it is a family decision. Some families would choose to take on the additional offering of a Koori preschool program, which I remind people is in addition to a preschool placement they can have. So the total amount is almost double. But there are some families that choose not to enrol preschool children in those Koori preschool programs for their own decisions.

There is also an element of location as well and making sure that we are working with the communities around where they are placed. When they were originally placed, it

was to do with the saturation of that client base in those areas. I think the Auditor-General's report, on my reading of it, was that as a distribution across the whole ACT, there are lower numbers across the ACT. But within those areas, I think that is the work that we need to do—work on whether the people that are in that actual area see those as important. The information that we have about the satisfaction levels, as we have heard, is very high. The parents that are choosing to send their children there are very satisfied with that program.

**THE CHAIR:** We are out of time. We can have one very final question.

**MR DOSZPOT:** That is fine. I had a few more questions, but I just ask: what is the future of these preschools?

**Mr Gniel:** The Koori preschool?

**MR DOSZPOT:** No, the four preschools we spoke about?

**Mr Gniel:** Sorry, early childhood?

**MR DOSZPOT:** Sorry, early childhood.

**Mr Gniel:** The future?

**MR DOSZPOT:** Yes.

**Dr Bourke:** Bright—very bright.

**MR DOSZPOT:** What I am asking is whether they will be continued, even though they are a bit more expensive than the standards ones.

**Dr Bourke:** That is actually—if you read the detail of the Auditor-General's report, you would realise that the concern of the Auditor-General about cost was that the Auditor-General did not actually compare the cost of the preschool-to-grade 2 component in the early childhood schools with the preschool-to-grade 2 component of the nearby primary school. So it was not a comparison of apples with apples. The directorate actually detailed that in their response to the report.

**THE CHAIR:** Thank you. As I said, we are out of time. On behalf of the committee, I would like to thank you, Dr Bourke, in your capacity as Minister for Education and Training and your officials from the directorate for appearing before the committee today.

As mentioned at the commencement of the hearing this morning, there is a time frame of five working days for the return of answers to questions taken on notice at this hearing. Questions on notice for output 1, public school education—output 1.4, disability education in public schools and for output class 2, non-government education—output 2.1, non-government education should be lodged with the Committee Office within three business days of receipt of the uncorrected proof of the transcript, with day one being the first business day after the transcript is received.

After lunch the proceedings will recommence with the examination of the expenditure proposals and revenue estimates for the following outputs in the Environment and Sustainable Development Portfolio: output class 1, environmental and sustainable development—1.4 heritage, 1.5 policy and 1.6 environment protection and water regulation.

**Meeting adjourned from 12.31 to 2.03 pm.**

Appearances:

Corbell, Mr Simon, Attorney-General, Minister for Police and Emergency Services and Minister for the Environment and Sustainable Development

Environment and Sustainable Development Directorate  
Papps, Mr David, Director-General  
Traves, Mr Alan, Executive Director, Policy  
Meyer, Mr John, Acting Executive Director, Regulation and Services  
Walters, Mr Daniel, Director, Environment Protection Authority/  
Environment Protection and Water Regulation  
Gurnhill, Ms Anna, Acting Manager, Heritage

**THE CHAIR:** We will start. I welcome Mr Corbell and officials to this public hearing of the select committee on estimates. The Legislative Assembly has referred to the committee for examination the expenditure proposals in the 2012-2013 Appropriation Bill and the revenue estimates in the 2011-12 budget. The committee is due to report to the Assembly on 14 August 2012.

The committee has resolved that all questions on notice will be lodged with the Committee Office within three business days of receiving the uncorrected proof transcript, with day one being the first business day after the transcript is received. Answers to questions on notice will be lodged with the Committee Office within five business days of receiving the question, with day one being the first business day after the transcript is received. Answers to questions taken on notice will be returned five business days after the hearing at which questions were taken, with day one being the first business day after the question was taken.

Proceedings this afternoon will continue with an examination of the Environment and Sustainable Development Directorate, output class 1, environment and sustainable development, and specifically the following outputs: 1.4 heritage, 1.5 policy and 1.6 environment protection and water regulation. I will try to go through each output discretely because they are fairly different. I imagine there will probably be fewer questions for heritage and more for policies. We will probably go for 40 minutes on heritage. Let us see how we go; we are flexible.

There is the usual housekeeping. I draw your attention to the privilege statement, which is on the blue card in front of you. I am sure you are all very familiar with it. If you can indicate that you are aware of the implications and information in that. So that everyone is aware, proceedings are being broadcast.

Minister, before we go to questions, I invite you to make an opening statement if you wish.

**Mr Corbell:** Thank you to members of the committee for the opportunity to appear this afternoon. I do not intend to make an opening statement, but I and my officials will seek to answer your questions.

**THE CHAIR:** At budget paper 4, page 316, accountability indicator a has been discontinued. It would seem, therefore, as we have not got that indicator, there are no

qualitative or quantitative measures that would be used to measure performance. Why are we losing that indicator?

**Mr Corbell:** I think note 1 gives you the explanation, in that the accountability indicator is driven by a body other than the ACT Planning and Land Authority in relation to advice on heritage impacts of development applications. Obviously that is advice that comes from another body, the ACT Heritage Council, and therefore it is difficult to hold the Planning and Land Authority accountable for a process which is actually in the hands of a different body.

**THE CHAIR:** Will there be anything to replace that indicator?

**Mr Corbell:** No, not that I am aware of.

**THE CHAIR:** As I said, as there is no indicator a, we have only got b. Will that be the only indicator for heritage?

**Mr Papps:** Further to the minister's comments, we are in the process of reviewing the Heritage Act and the government is considering developing amendments to the legislation. Once they are in place, we would review the array of indicators that might emerge from that. But as the minister has indicated in terms of this one, it is not the heritage unit per se as part of ESDD that provides advice. It is the Heritage Council.

**THE CHAIR:** I understand that but because there is not an indicator there that is providing a qualitative and quantitative measure, essentially then there will not be anything there that actually provides that measurement?

**Mr Corbell:** It is the government's view that given we are currently in the process of revising and preparing proposals for a substantial revision of the operation of the Heritage Act, it would be timely to await the outcome of that process.

**THE CHAIR:** Will that be completed by the next budget process?

**Mr Corbell:** Certainly. Obviously that is contingent on decisions after the election, but certainly it is my intention that there would be new heritage legislation before the Assembly before the next budget.

**THE CHAIR:** And when would the indicators be developed?

**Mr Corbell:** I beg your pardon?

**THE CHAIR:** Would the indicators be developed after that act has come in?

**Mr Corbell:** Yes. The new indicators would be developed, based on the operation of a new heritage act, before the next budget; that is, the budget that is forthcoming.

**THE CHAIR:** In the meantime there will not be anything that is reported?

**Mr Corbell:** That is correct.

**MS HUNTER:** I want to follow through on your FTE and staffing figures for the environment portfolio. They are now mixed in with ACTPLA and the other units that make up ESDD. What is the number of full-time equivalents in the environment portfolio of ESDD in the 2011-12 financial year?

**Mr Corbell:** Just to clarify, are you asking for elements of the directorate or the directorate as a whole?

**MS HUNTER:** I want to know the elements of the directorate.

**Mr Corbell:** Which element?

**MS HUNTER:** Start with all of ESDD and then we will go from there.

**Mr Corbell:** Sure.

**Mr Papps:** Those numbers are set out in the budget papers, and for 2011-12 the estimated outcome is 465 FTE.

**MS HUNTER:** Do you then have broken down where people are employed within the department? Do you have that broken down any further?

**Mr Papps:** We do. I do not have those figures with me.

**MS HUNTER:** Could you take that on notice?

**Mr Papps:** Of course.

**MS HUNTER:** Do you have forward estimates for the next four years of what the FTE for ESDD will be?

**Mr Papps:** We have got a target for 2012-13 of 445 FTE. Then, as you would be aware, our directorate, like every other directorate in the ACT public service, has a series of savings targets, part of which is made up by supplies and services or the things that we do and part of which is made up by staff reductions. We do not yet have figures for the years beyond 2012-13. That is a work in progress where I am obliged as director-general to develop savings targets over the outyears. I have got some flexibility in how I will meet those targets. So at this stage we do not have precise numbers for the years beyond 2012-13.

**MS HUNTER:** Looking at budget paper 4, pages 312 to 313, it shows that in outcomes 1.4, 1.5 and 1.6 there will be decreased funding in 2012-13. I am wondering whether you could advise the committee how you will be able to continue to deliver all services from those areas and meet the accountability targets. It may not be such an issue in heritage at this point. They do not have that many accountability indicators, but certainly if you could just give an idea of how you are going to cope with those cuts?

**Mr Papps:** I think we have canvassed this matter previously under the other output classes for ESDD. In very simple terms, there is a process of realignment of available

resources against government priorities. And we have got a series of principles that will drive that internal realignment process. For example, we will be providing resources in order to meet the government's agreed priority projects. We will continue to deliver on our legislative obligations. By way of example, we have certain statutory obligations under the Environment Protection Act. We will continue to ensure that resources are provided to meet those statutory requirements.

We have got commitments to ensure that, for example, community consultation and any of the work that we do within these output classes will not be impacted. So those sets of general principles will drive a realignment of existing and forecast resources in order to be able to deliver the government's priority projects.

**MS HUNTER:** Basically you do not know at this stage what you are going to drop off. What I take from that is that you are going through a realignment of resources or a reallocation of what you have got?

**Mr Papps:** That is right.

**MS HUNTER:** And so you are not going to know where that comes from until you finish that process. When is that process finishing?

**Mr Papps:** The process of realignment? It is underway now. And, of course, it is not only within directorates under the new structure of the ACT public service where you have got nine directorates and a single head of service. There is involvement of central agencies. So Treasury has an interest in this matter. I know, for example, that the committee has received some advice from Treasury about the whole-of-government targets that are set across a range of factors. CMCD has a role, particularly in relation to staff numbers and dealing with staff reductions over time. So we are not working unilaterally. We are working with those two central agencies. And I would expect to have that process finished over the next two to three months.

**MR SMYTH:** Minister, accountability indicator a on page 316 talks about assessing development applications for heritage impact. Is there any delay to the processing of DAs as a consequence of the timeliness of council decisions?

**Mr Corbell:** I am sorry, I cannot quite hear you. Could you speak up, please?

**MR SMYTH:** Under heritage output 1.4, accountability indicator a, is the Heritage Council meeting their time frames, and how many development applications are held up by the heritage process?

**Mr Corbell:** As you can see from that output's estimated outcome, the estimated outcome is 83 per cent against a target of 100 per cent. This indicates that there are a number of more complex issues that need to be addressed in some development applications, and often that is an iterative process involving advice from the Heritage Council, further discussion with the development proponent, adjustment, compromise and so on until there is an outcome that is acceptable to the council, obviously, but also is workable for the development proponent.

In terms of the actual numbers of applications referred, I would need to take that

matter on notice. But you can see what the estimated outcome is there.

**MR SMYTH:** How many applications does the Heritage Council look at in a year?

**Mr Corbell:** Again, as I said, I would need to take that question on notice.

**MR SMYTH:** All right, if you could do that. If you could also tell us what the situation was at the same time last year that would be good. With regard to a number of consultations that are on at the moment, what input does heritage have, for instance, in the consultation on the future of Lanyon?

**Mr Corbell:** Any place that is listed on the heritage register involves consultation with the Heritage Council. I am not quite sure what you are referring to in relation to Lanyon. Heritage places are required to have a conservation management plan. It would depend on whether the issues arise are matters that are germane to what the context of the conservation management plan should be and whether it requires involvement of the Heritage Council.

The Heritage Council are not automatically engaged if the matter that is being considered is consistent, for example, with the CMP. It is unlikely that the Heritage Council would need to express a view, because they have already signed off on a CMP, and if things are occurring within the context of a CMP then there would not be a need to engage the Heritage Council. But if it is a higher order issue then the Heritage Council may choose to be engaged. That is entirely a matter for the Heritage Council. The Heritage Council determine of their own volition what matters they get involved in and what matters they do not.

**MR SMYTH:** The government is out with consultation on the Lanyon heritage precinct. Does the heritage unit not have anything to say about this?

**Mr Corbell:** You asked about the Heritage Council previously. The heritage unit is different from the Heritage Council.

**MR SMYTH:** I asked what interest your portfolio had in the consultation. I did not mention the council.

**Mr Corbell:** I would need to take the question on notice, Mr Smyth, in relation to the engagement of the heritage unit.

**MR SMYTH:** All right. Has the heritage unit had any say or input or does it have an opinion on what impact a solar farm at Rose Cottage might have on the heritage values of Rose Cottage?

**Mr Corbell:** There is no live proposal in that regard at this time. If there is a proposal and a formal application is made to develop a solar farm in any location, it will be subject to the normal statutory processes, including, where relevant, assessment under heritage processes.

**MR SMYTH:** Does the heritage unit have any role in what is happening at Cuppacumbalong at the moment, in protecting the heritage values at

Cuppacumbalong?

**Mr Corbell:** What do you mean by in relation to what is happening at Cuppacumbalong at the moment? Can you be more specific?

**MR SMYTH:** Mr Traves seems to know about it.

**Mr Traves:** No; I was just waiting for your clarification.

**MR SMYTH:** Okay. There is some work about the master plan that has been some years in the making for Cuppacumbalong and the future use—the lease on Cuppacumbalong. As it is an arts precinct and it obviously has heritage values given its status, does the heritage unit have a watching brief over what is going on at Cuppacumbalong?

**Mr Corbell:** The heritage unit has a watching brief over all aspects of the management of heritage places.

**MR SMYTH:** So what has it done in relation to Cuppacumbalong in the last year?

**Mr Corbell:** I would have to take the question on notice.

**MR SMYTH:** It is a lot of questions on notice, minister.

**THE CHAIR:** That is taken on notice.

**MR SMYTH:** Minister, in relation to some of the heritage assets in Hume, particularly Tralee hut and Couranga homestead, what is the heritage unit doing with regard to those two facilities?

**Mr Traves:** Those two properties belong respectively to the LDA and TAMS. They are the managers of the properties. The heritage unit's role and the council's role, by association, is to ensure that the heritage values represented by those properties are not compromised and they give advice to the property manager on how that can be achieved. I understand that that is being done at the moment. While works are proceeding in those areas, the general solution is to fence them off so that no damage can possibly occur during the construction period and then to reassess what work may be required after heavy industrial work is completed in the area.

**MR SMYTH:** So how are they protected, given the recent damage to the Tralee hut when the slabs were stolen?

**Mr Traves:** The fencing has been upgraded since then, I understand.

**MR SMYTH:** Is there monitoring of the site or are they just fenced off and you only act when there are reports of vandalism?

**Mr Traves:** Since we do not actually manage the sites, I would have to check with the property manager as to what extra provisions they have put in place.

**MR SMYTH:** All right. What is the likely long-term future of both Tralee and Couranga?

**Mr Traves:** Until those works are finished, I do not think we can properly speculate on that. Obviously their heritage values will be protected. As to who will be the eventual user of those sites is something that would have to be determined by community consultation.

**MR SMYTH:** Will you conduct that or will LDA or TAMS conduct that process?

**Mr Traves:** I think that would be a joint exercise.

**MR SMYTH:** So what is the interest of the heritage unit in Tralee and Couranga?

**Mr Traves:** Only to the extent that it represents unique heritage values in the territory. The role of the unit is to make sure that those values are protected wherever possible.

**MR SMYTH:** Minister, you and I have received a letter from the Kosciuszko Huts Association, who have kind of stepped out of the Kosciuszko to come down to Canberra to help protect both of these properties. Why is it that the Kosciuszko Huts Association has felt the need to come down and help restore Tralee and keep a watching brief on Couranga?

**Mr Corbell:** You would have to ask the Kosciuszko Huts Association.

**MR SMYTH:** They have written you a letter. Do you not have an opinion on the concerns that they have raised?

**Mr Corbell:** I have certainly replied to the correspondence from the Kosciuszko Huts Association. I have outlined what the situation is, as Mr Traves has outlined. Steps have been taken to protect the fabric of these important buildings whilst work occurs in the industrial precinct that surrounds it. The manager and custodian of the property is taking steps to ensure that the properties are protected and at that point in time, once work has been completed in the industrial precinct, we will be in a position to ascertain what are the next appropriate steps for the management and use of those huts.

I think the critical issue is that we can further restore those buildings but, because of their location, without an active use their ongoing maintenance it is always going to be problematic. The area is in an isolated and relatively quiet part of the city and that means it is always going to be open to some level of opportunistic vandalism or damage. At this point in time the site is secured, subject to the completion of the development in the surrounding area, and then future decisions can be made on their possible use.

**MR COE:** Would you please let me know if there are any changes proposed for Gold Creek homestead in terms of the administration and maintenance or heritage status of the site?

**Mr Corbell:** I can only answer in relation to the heritage status of the site. The heritage unit is not the custodian of these properties. The custodianship of these

properties exists with other government agencies or they are privately owned. The interest of the heritage unit and the council is in ensuring that where a site has heritage significance it is being appropriately cared for and protected, consistent with an agreed conservation management plan for the place.

In relation to the status of Gold Creek homestead, it has been some time since I have looked at this issue, but my recollection is that the Heritage Council has considered previously the heritage status of the Gold Creek homestead and has reached some conclusions on that matter. I do not believe that has changed. I am happy to stand corrected, but that is my understanding.

**MS LE COUTEUR:** My question is about DAs for things in heritage precincts. A constituent told me recently that they were shocked to find a knockdown-rebuild in the heritage precinct in Reid where there was no DA at all. They said that they had observed it and then looked at ACTPLA's website and could not find anything. That is certainly something which would have been exempt in other areas of Canberra, but my understanding—and it was certainly the constituent's understanding—was that, given it was within the heritage area of Reid, some public notification was required.

**Mr Corbell:** Without some better particulars, Ms Le Couteur, it is a bit difficult to answer. If you want to provide some better particulars, I am happy to look into the matter.

**MS LE COUTEUR:** Is it the department's understanding that in the heritage areas there has to be public notification?

**Mr Corbell:** It would depend on the nature of the work proposed.

**MS LE COUTEUR:** Are there some guidelines?

**Mr Corbell:** Yes, there are. I am happy to seek some further advice, if there is anyone here who can answer that question. As I say, it would depend on the nature of the works proposed as to whether, first of all, development approval is required and then there is the secondary question as to whether or not that development application is subject to a public notification process. It obviously depends on the work involved. I will ask Ms Gurnhill if she can assist.

**Ms Gurnhill:** Minister Corbell is correct in his answer. The notification requirements are the same as those that are outlined under the Planning and Development Act for any application.

**MS LE COUTEUR:** So there is no additional requirement because it is in the Reid heritage area. Is that what you are saying?

**Ms Gurnhill:** The additional requirements for the property being in the Reid residential area are that the approval of the Heritage Council is required and through that normal planning process those same notification processes are to be followed.

**MS LE COUTEUR:** So there is no additional notification, except to the heritage unit?

**Mr Corbell:** No. The additional requirement is that the Heritage Council has to be satisfied that the proposed changes are consistent with the heritage values of the place or precinct.

**MS LE COUTEUR:** Presumably these qualified as exempt developments, so this will presumably change—

**Mr Corbell:** I do not know, Ms Le Couteur.

**MS LE COUTEUR:** That was just the most extreme example. I have a continual litany of people saying that a minor change has happened within these areas—it would be a minor change anywhere else—but it is not simply not consistent with the heritage requirements. Basically, what you are saying is that there is no public requirement for consultation with that. It is merely that the heritage unit makes up its mind.

**Mr Corbell:** There is no specific public consultation required when it is solely because the place is in a heritage place. The requirements are those that apply to any other development proposal and are dictated by the nature of the proposal, what is proposed to be done, with the overriding coverage that the Heritage Council must be satisfied with the proposed changes before they are approved.

**MS LE COUTEUR:** We need to do some more work on that because clearly people are not always happy with that result. The accountability indicator Ms Bresnan spoke about earlier—apart from the fact that it is not going to exist in the future, you have got for this year an estimated outcome of 83 per cent whereas the target was 100 per cent. Do you want to elaborate? I have read the note. Are you able to elaborate more than that as to why it is not 100 per cent?

**Mr Corbell:** As I said, it is down to the complexity of the proposals that are referred and the fact that often these discussions are an iterative process. It is not a case of referral, Heritage Council says X and that is the end of the discussion. Often a proponent will come back with alternative solutions that meet the Heritage Council's requirements but which perhaps the Heritage Council had not previously considered. In those circumstances, it is an iterative or an ongoing process that takes more time, and that is reflected in the estimated outcome as opposed to the target.

**MS LE COUTEUR:** Given that the Heritage Council has to approve things, does this mean that in all cases—obviously there will not be public notification necessarily, given what you have said—a DA has to be put in for any work in the heritage areas before work is started?

**Mr Corbell:** As Ms Gurnhill just said, whether or not development approval is required is governed by the nature of the proposal.

**MS LE COUTEUR:** What happens in cases which would be exempt development in the rest of the ACT, where basically the certifier says, "Yes, this looks fine; do it," and ACTPLA finds out about this in arrears, as it were. Is the situation in the heritage areas that that is not the case? I am just trying to work out how the Heritage Council

gets involved.

**Mr Corbell:** In relation to exempt work?

**MS LE COUTEUR:** In relation to exempt work, yes.

**Ms Gurnhill:** That is something that the heritage unit is in discussion about with ACTPLA, with the planning authority, at the moment, with regard to just how those exemptions work. We are looking to try and streamline some processes and create greater clarity around that.

**MS LE COUTEUR:** The feedback that I am getting is that it appears that it is not working insofar as I suspect that nothing is going in for the Heritage Council to look at.

**Mr Corbell:** As Ms Gurnhill said, it is an area that has been identified for some further work.

**MS LE COUTEUR:** And that will look at trying to prevent basically the complete demolition of buildings, just leaving the facade?

**Mr Corbell:** Demolition is development and under the Planning and Development Act and it requires approval.

**MS LE COUTEUR:** But they would often be exempt developments because they leave the facade.

**Mr Corbell:** It is not. Demolition is not exempt development.

**MS LE COUTEUR:** I suppose it is a partial demolition in these cases. It will not be a full demolition; there will be a partial demolition—

**Mr Corbell:** Again, Ms Le Couteur, it would depend on the specific nature of the proposal. It is difficult to comment in general terms without looking at the specific nature of each proposal.

**MS LE COUTEUR:** I could ask more, but that is all about the DA one.

**THE CHAIR:** Are there any other heritage questions? Ms Le Couteur, did you have another heritage question?

**MS LE COUTEUR:** My other heritage question is this: is there a way of getting a map of all the heritage sites in the ACT? I know that ACTMapi has a lot of layers, but it does not seem to have a heritage layer or some way of finding out where all the heritage assets are.

**Mr Corbell:** They are listed on the heritage register.

**MS LE COUTEUR:** And that is it? There is no interface into—

**Mr Corbell:** Are you asking whether that is presented in spatial form?

**MS LE COUTEUR:** For someone outside, that would seem like the obvious way of putting it all together.

**Ms Gurnhill:** Again, we are in negotiations at the moment with the planning authority to look at providing our data sets for our heritage information as a heritage layer on ACTMapi, the planning authority's land information system. There are some issues around some of our Aboriginal sites which have restricted information, and those sites cannot be made public. But with the majority of those heritage register places, we are looking at providing that heritage layer in the near future.

**MS LE COUTEUR:** The near future? So this year?

**Ms Gurnhill:** Hopefully, yes.

**MS LE COUTEUR:** Good.

**THE CHAIR:** If there are no further questions on heritage, we might move to policy. I will start. My first question again is an accountability indicator question, particularly about those in 1.5. I have got a couple of questions about them. First, with indicator a the measure is the delivery of a framework within specified time frames. I am just wondering why we do not have a measure for the quality of the framework. Otherwise it does not tell us much about what the framework itself is.

**Mr Corbell:** The quality of the framework is considered by the Assembly. The Assembly has voted to support a legislative framework that will provide enhanced consumer protections in the national electricity market.

**THE CHAIR:** I take your point, but the actual indicator just says that we will deliver it. It does not actually tell us anything.

**Mr Corbell:** The government considers this to be the most appropriate accountability indicator.

**THE CHAIR:** There has been no thought to change—to have something that provides—

**Mr Corbell:** The national energy customer framework is now law, and the content of that law has been agreed to by the Assembly. It would be fairly meaningless to have an indicator as to quality of the framework in the coming financial year, because we have agreed to what the framework is.

**THE CHAIR:** Indicator h, acceptance by the commonwealth, again does not really tell us much. With the document provided to the commonwealth, what if there were issues from the commonwealth about the quality of the document and there was advice from the commonwealth? Again, it does not really tell us; it says you deliver something, but that is it.

**Mr Corbell:** No; on the contrary. If the commonwealth refused our performance and

financial progress reports and said they were inadequate, that would indicate that they were not up to scratch and it would be recorded accordingly in this performance measure.

**THE CHAIR:** It would be recorded in there?

**Mr Corbell:** Yes. Because this is on acceptance—that is, the commonwealth determining that our reporting is satisfactory.

**THE CHAIR:** I get that, but that is the point I am trying to ask about. That does not actually tell you if there were any issues raised to say it was unsatisfactory. You are saying it would just—

**Mr Corbell:** We would not meet the target.

**THE CHAIR:** You would just have an indicator of zero.

**Mr Corbell:** We would not meet the target if the commonwealth declined to accept our financial and performance progress reports.

**THE CHAIR:** Indicator j, publishing an inventory and annual report, again does not seem to provide much value as an indicator. Again, why are we not actually measuring, say, the value that you add to government through the analysis of the outcomes and the ability to provide strategic recommendations?

**Mr Corbell:** As always, Ms Bresnan, if the committee would like to suggest alternative performance measures, I am very happy to consider them.

**THE CHAIR:** I am just trying to get feedback on why something like that has not been considered again. It is just saying that we are delivering something, and here it is; it is not telling you much.

**Mr Corbell:** These performance measures are measures that relate to significant bodies of work that the directorate has to undertake each year. Therefore, delivering on those significant bodies of work is a reasonable performance measure.

**THE CHAIR:** But an annual report is something that every department has to do as a matter of practice. How is that providing any indicator of what the department is doing? It is something you have to do.

**Mr Corbell:** Again, if the committee would like to suggest alternative performance measures, the government is always happy to consider them.

**THE CHAIR:** I am trying to get a bit more information about what indicator k actually means. I know it says “Review the draft nature conservation strategy for public consultation”. What does that actually mean? Do you review the strategy to see if you have got public consultation, or are you going out to public consultation to review the strategy? What does it actually mean?

**Mr Traves:** The nature conservation strategy is like an implementation plan which

we develop under the auspices of the Nature Conservation Act itself.

**THE CHAIR:** Yes, I am aware of that.

**Mr Traves:** As you would recall, the act has been under review for a little while now. It is now also the subject of significant work happening at the COAG level. We are awaiting the outcome of COAG negotiations to come up with a nationally consistent approach to cross-border areas of nature conservation and protection, particularly, and to take it forward, perhaps as draft legislation, to the next government. The strategy then will naturally flow from that revised act. There is a draft that has been put in place so far, but at the moment it is really just flagging the issues that a strategy will cover rather than detailing the strategy.

**THE CHAIR:** What does this indicator mean then?

**Mr Traves:** We are hoping that once we complete the review of the Nature Conservation Act and introduce amendments to that act, the strategy will be put in place by the time frame indicated.

**MS HUNTER:** How long has that legislation been under review for?

**Mr Traves:** I would have to check that; I have only recently taken up the position.

**MS HUNTER:** Years, is it?

**Mr Traves:** I believe it has been under review in various forums and expert groups in agencies for a number of years before the formation of this directorate.

**Mr Corbell:** The directorate staff responsible for this project have been extensively engaged with stakeholders in the development of the framework and architecture for the new Nature Conservation Act. Our act is quite an old piece of nature conservation legislation now. At the time it was introduced, it was a contemporary document. It is not anymore. It does not deal with more complex issues—for example, offset management and principles that govern decisions around offsets for protection of areas of biodiversity.

Whilst I appreciate that some members would be concerned that this process seems to have taken quite a long time, and whilst I share those concerns to a degree, I am also very conscious of the fact that this is a very complex area of policy and there are strong views amongst stakeholders as to how the new legislation should operate. Therefore, my staff have taken considerable time and effort to engage with stakeholders to develop a piece of legislation that is going to have broad support amongst key stakeholders. Whilst it has been a lengthy period, I think the investment in time and effort will have been worth it.

**MS HUNTER:** When will that be completed? When will you be tabling legislation?

**Mr Corbell:** We will not be tabling legislation during the term of this Assembly.

**MS HUNTER:** Okay. Will you be coming out with legislation or are you going to be

coming out with an exposure draft in the first instance?

**Mr Corbell:** The proposal, Ms Hunter, is to release legislation as an exposure draft. It is feasible that there will be an exposure draft released before the October election.

**MS HUNTER:** So before we go into caretaker?

**Mr Corbell:** Before the Assembly election, yes.

**MS HUNTER:** We have spoken about the nature conservation strategy in relation to that previous indicator. I think that Mr Traves covered off on that. I want to go to biodiversity offsets which, minister, you just touched on in regard to a complex piece of work and legislation. Part of it is the offsets. There has also been a federal process going on. Minister, could you advise on the COAG process regarding offsets and how long that process is going to take? What is the current status? Can we have an update?

**Mr Corbell:** I will have Mr Traves provide that information.

**Mr Traves:** The biodiversity calculator has been developed in-house over a period of, I would say, the last 18 months. It has been tested in various directorates that have an interest in the outcomes of those calculations—for instance, the Land Development Agency. Based on the feedback from that, we have been making refinements to that model.

Recently, the commonwealth has shown a particular interest in what we have been doing and we have been working quite closely with them—basically talking to them about the options for a national approach to things. That is where it is at this stage. It is still in the negotiation stage. COAG, certainly over the last six months, has really focused on environmental issues. We are very hopeful that something good will start coming out of the COAG process early in the new year.

**MS HUNTER:** So you are waiting for something to come out of the COAG process.

**Mr Traves:** It could be as early as May 2013, I am told.

**MS HUNTER:** Which is a little bit longer than early next year. We know how long COAG processes take. Sometimes it feels like it is building a glacier. So in the absence of any result from that, what is the ACT going to do in the meantime in respect of an offsets policy?

**Mr Traves:** I think that in the longer term the ACT would be the biggest beneficiary of a consistent national approach. It is surrounded entirely by New South Wales. It would be good if they were following exactly the same type of principles. We are putting our effort at this stage into influencing the national stage. Certainly, if the outcome is not a good outcome for the ACT and it does not take into account our particular environmental circumstances, we would obviously revisit that.

**Mr Papps:** Can I just add to that answer, because I think you are also interested in the present arrangement as well as the future arrangements? To reinforce what Mr Traves has said, in the COAG dealings—we are working across all jurisdictions in Australia

around this area—we are not a silent partner. We are contributing, as Mr Traves has already indicated. So there is some work running in parallel. In respect of our contribution to COAG, we are feeding into that and it is feeding back into us.

In the current set of circumstances, of course, we are still operating in most of the key development areas in the ACT under the EPBC Act, the Commonwealth Environment Protection of Biodiversity Conservation Act. So in very practical terms, biodiversity offsets at the moment are largely being governed through the operation of the commonwealth legislation.

That is not a unilateral imposition by the commonwealth. That is done in negotiation with the ACT government. We provide data and advice for our biodiversity values, we engage with the relevant commonwealth department and work through the process to arrive at, generally speaking, agreed offsets around the large developments.

So you do not have a vacuum at the moment. We are operating under the system that has been in place for a while. We are not a silent partner in that. We are an active contributor. As Mr Traves indicated, there is this national process underway. All jurisdictions, if possible, would like to see some common principles around offsets and some common principles around bio-banking and credits.

**MR SMYTH:** Minister, can you please comment on the success of government policies in light of the recent release of the state of the environment report?

**Mr Corbell:** I think the state of the environment report indicated that the policy settings the government is putting in place are the right ones—whether that is policies around further reducing waste generation and waste to landfill in the ACT, whether it is measures to improve energy efficiency, whether it is tackling patterns of consumption in the community, whether it is about focusing on deployment of renewable energy technologies.

I think what the Commissioner for the Environment's report confirms is that the policy settings the government is putting in place are the ones he is looking for as we tackle some of the very complex and difficult issues around patterns of consumption in the territory and what that means for the impact on the local environment.

**MR SMYTH:** But surely you have failed where the ecological footprint has increased by eight per cent in the last five years and nearly 25 per cent in the last 10 years, when greenhouse gas emissions have increased by eight per cent over the last five years, when waste generation is up 28 per cent, which is faster than the rate of population growth at six per cent. I mean, great spin but it is not borne out by the facts.

**Mr Corbell:** What I would say on that is two things: the first is that there is always a lag time in indicators between—

**MR COE:** Ten years?

**MR SMYTH:** Ten years?

**Mr Corbell:** If you look at the environment commissioner's report, you will see that

he is drawing on data from anywhere up to 2006-07 data. That obviously reflects lags in terms of implementation of policy and how that is demonstrated in data at a later date.

The other point I would make, of course, is that I note your concern for issues around greenhouse gases and emissions, Mr Smyth, but I would be very interested to know what actual policies you would be proposing to tackle greenhouse gases emissions, when you—

**MR SMYTH:** It is always a measure of desperation when you want to discuss our policies, minister. I am pleased that you are interested but what about yours?

**Mr Corbell:** have opposed every—

**THE CHAIR:** One person at a time please.

**Mr Corbell:** piece of legislation in this place that the government has presented to actually reduce emissions. You have opposed legislation, such as energy efficiency legislation, that will achieve reductions of over 750,000 tonnes of greenhouse gas emissions between now and 2015. You have opposed legislation that will achieve abatement of over 300,000 to 500,000 tonnes of greenhouse gas emissions through large-scale renewable energy. You have opposed legislation that will improve energy efficiency in buildings. So I think your faux concern for the outcomes of the Commissioner of the Environment's report are just that: faux.

**MR SMYTH:** You have talked about the lag. Let us go to the one of the indicators where he is actually using recent data, the 2010-11 data. Waste generation per person has increased by 28 per cent since the previous reporting period, while population has only increased by 5.5 per cent. Total waste generation has increased by about 35 per cent since the last reporting period. This is right up to 2010-11. There is no lag there. Why have you failed to reduce the amount of waste going to landfill?

**Mr Corbell:** Waste generation and waste to landfill are two different things, Mr Smyth. I would have thought that you would understand that. Waste generation reflects how much someone is generating. Waste to landfill is the balance after you look at recycling. So you are not comparing like with like in your question.

**MR SMYTH:** I am just reading the commissioner's report here.

**Mr Corbell:** You were asking me a question. Were you were talking about the waste generation rate—

**MR SMYTH:** So the commissioner is wrong?

**Mr Corbell:** and waste to landfill. They are two different things. The government is taking a range of steps to tackle waste to landfill. Of course, we still have the best resource recovery rate of any state or territory in the country. The government has—

**MR SMYTH:** Yes, we left you with a good foundation, didn't we?

**Mr Corbell:** We still have after 10 years the best resource recovery rate in the country and we are introducing a range of measures to further increase our resource recovery rate to over 90 per cent. The new ACT waste strategy reflects those objectives. We have indicated that there will be a range of measures implemented to further improve resource recovery rates.

For example, we have had the very successful implementation of the national e-waste scheme here in the territory, which has seen hundreds of tonnes of e-waste diverted from landfill. It will now be sent for recycling, a service which is free of charge to Canberra residents. We of course identified the development of a commercial mixed materials recovery facility which will divert waste from the commercial sector, which is currently going to landfill into recyclables. I am talking about paper, glass, cardboard and so on.

Of course, we have had the very successful ACTSmart recycling program, which is now reaching out to over 700 Canberra businesses across the ACT, and which is achieving some very real results. For example, the ACTSmart program has seen reductions in waste at Canberra stadium. It has reduced its waste to landfill from 96 per cent to 14 per cent due to its participation in the government's ACTSmart scheme. Gunghalin McDonald's—a great example—reduced its waste to landfill from 85 per cent to 47 per cent. So this really does highlight that we are seeing strong participation in government programs, and we are achieving the results we need for the longer term.

**MR SMYTH:** So the commissioner's concerns are unfounded?

**Mr Corbell:** The commissioner's concerns reflect his analysis at a point in time. What needs to be recognised is that there is often lag in the implementation of new policy measures and when they are reflected in data available to the commissioner.

**MR SMYTH:** Right; this the latest data, which I am looking at, for 2010-11.

**Mr Corbell:** I think I have answered your question, Mr Smyth.

**MR SMYTH:** So your policies have failed?

**Mr Corbell:** No, they have not failed. In fact, we have got some excellent programs being implemented, programs that quite frankly you fail to acknowledge or even recognise are making a difference, whether it is e-waste, whether it is ACTSmart, whether it is energy efficiency, whether it is the new waste strategy. These are all things that you have derided but you provide no concrete alternative whatsoever on environment and climate change policy. We have seen nothing from the Liberal Party for over four years now on environment and climate change policy—

**MR SMYTH:** I do not believe that is true, but this is your budget, minister, not mine.

**Mr Corbell:** and your concerns about these issues are about these issues are, I think, really quite pathetic in that context.

**MR SMYTH:** The Labor Party always goes to the personal abuse and the insults. So

well done! You got there very quickly, minister.

**Mr Corbell:** No, I think it is worth highlighting—it is always worth highlighting—

**MR SMYTH:** You got there very quickly when you cannot—

**Mr Corbell:** the hypocrisy of your questioning, Mr Smyth.

**MR SMYTH:** So the growth in the ecological footprint?

**Mr Corbell:** I refer you to my previous answer, Mr Smyth.

**MR SMYTH:** The answer that does not answer anything.

**THE CHAIR:** Okay.

**MR SMYTH:** So we can gather from that that your policy has failed. Thanks for that, minister.

**Mr Corbell:** I always enjoy highlighting the hypocrisy of the Liberal Party's so-called concern—

**MR SMYTH:** I always enjoy highlighting the failures of a minister who has got no answer.

**THE CHAIR:** Thank you, members.

**Mr Corbell:** and so-called interest in environmental matters when you have opposed every environmental measure that has come to this place. How can you stand up here and then say that you are concerned about these outcomes when you have opposed every single measure?

**MR SMYTH:** On the basis of your environmental policies, you are a failure.

**THE CHAIR:** Members, please, one at a time.

**Mr Corbell:** You have opposed every single environmental measure that this government has brought into this place.

**THE CHAIR:** One at a time.

**MR SMYTH:** None of your measures seem to be improving the environment, according to the commissioner's report.

**MR COE:** The Independent Pricing and Regulatory Tribunal of New South Wales, in their document "The impact of green schemes on regulated electricity prices" for prices from 1 July 2012, stated:

Once the carbon pricing mechanism is operational, it is likely many of the existing mitigation programs at the state and territory levels will need to be

redesigned and some may become redundant. By ensuring that the schemes are complementary to the carbon pricing mechanism, unnecessary costs can be minimised.

What are the ACT government programs you will be reviewing as a result of the carbon tax? Which programs will be redundant?

**Mr Corbell:** It is the case that some green schemes are no longer required as a result of the implementation of the carbon price. The most obvious of those in the ACT context is the GGAS scheme. GGAS was a New South Wales developed emissions trading scheme, a certificate scheme, where electricity retailers had to effectively offset or abate a certain amount of greenhouse gas emissions and they could trade that in a limited market. The GGAS scheme has now been phased out because of the implementation of a carbon price and the ACT government has agreed to that process because we have been a participant in the New South Wales GGAS scheme.

**MR COE:** Just that single scheme? That is the only one that you think needs to be changed or can be wound back?

**Mr Corbell:** In our view, the implementation of a carbon price does not mean there is not a need for complementary measures and it is well accepted in all the academic literature that simply relying on a carbon price does not achieve the outcomes you need in terms of emissions abatement. This is particularly true in the energy efficiency space where a carbon price on its own will not drive the changes that are needed in some parts of the economy, and that is why a range of complementary measures are also required. We take the view that we will continue to need to see a range of complementary measures, particularly for example in areas around energy efficiency and deployment of renewable energy sources, because it is well accepted that a carbon price is not sufficient to drive uptake in those types of measures.

**MR COE:** Do you believe the 40 per cent target is redundant as a result of the carbon tax?

**Mr Corbell:** The 40 per cent target is the government's target and it certainly is not redundant. In fact, if anything, Australia's national target remains too low.

**MR COE:** IPART has recommended that the New South Wales renewable energy target scheme should be reviewed. Given that, do you think it would be worth while reviewing the ACT's scheme?

**Mr Corbell:** It is not for me to comment on the views of IPART and their consequences for New South Wales and certainly IPART has not looked at the ACT policy context. That is not their remit.

**MR COE:** Have all state and territory governments rolled the costs of the renewable energy target schemes as they apply to state and territory governments into the price of electricity?

**Mr Corbell:** The relevant consideration for pricing when it comes to renewable energy is renewable energy targets established under the national renewable energy

target scheme. Our target here in the ACT is a target in relation to the share of renewable energy generation per capita. Mr Sibley is nodding at me. How that is achieved will be through a range of measures, and it is those measures that will be taken account of in any pricing decisions made by energy regulators.

**MR COE:** Do you believe that there are any costs which are currently rolled into the price of electricity, especially in these green schemes or green costs, that should in fact be appropriated through the government, as opposed to recovered through electricity prices?

**Mr Corbell:** The only ACT green scheme that is currently subject to a pass-through to consumers is the operation of the micro and medium FIT scheme, which is now closed to new entrants. The price impact per household is \$26 a year. It is around 50c a week per household.

**MR COE:** That is the ACT government scheme but there are some commonwealth government schemes which are rolled in, are there not? As per the—

**Mr Corbell:** The point I am making is that ACT green schemes are a minuscule contributor to the overall electricity price in the ACT. Currently, the only ACT green scheme which has been passed through by the regulator is the feed-in tariff scheme, at around \$26 per household per year, and the new energy efficiency legislation.

**MR COE:** The ICRC final report *Retail prices for franchise electricity customers 2012-2014* says:

Costs incurred by electricity retailers from the ACT Government's feed-in tariff scheme are included in network costs. In previous directions, the ACT Government's Greenhouse Gas Abatement Scheme has been included. However, this scheme will cease operation ...

It also says:

The relevant costs for this price direction are the Australian Government's enhanced Renewable Energy Target (RET), which now consists of a Large-scale Renewable Energy Target (LRET) and a Small-scale Renewable Energy Scheme (SRES), and the ACT Government's energy efficiency scheme.

What commonwealth schemes have a direct price impact on the ICRC's determinations for our electricity prices?

**Mr Corbell:** The ones you just read out.

**MR COE:** Is there scope for the administration of those schemes to be done within government appropriations and therefore take pressure off electricity prices?

**Mr Corbell:** It is not for me to answer how commonwealth schemes are administered.

**MR COE:** Does the ACT government have any discretion as to whether the administration of these schemes is undertaken from the appropriation of the ACT government or from electricity prices?

**Mr Corbell:** As you would appreciate, or as I would hope you would appreciate by now, the ACT government is not responsible for the administration or implementation of commonwealth schemes.

**MR COE:** Sometimes they are actually, for the implementation.

**Mr Corbell:** Only where we are paid to do so, and that is not the case here.

**MR COE:** Do you consider funding the ACT government's energy efficiency scheme through appropriations as opposed to through electricity prices?

**Mr Corbell:** Yes.

**MR COE:** And why did you opt for electricity prices as opposed to ACT government appropriation?

**Mr Corbell:** Because it is the most cost-efficient way of running the scheme, recognising that householders receive a considerable benefit as a result of the scheme and will save in the order of \$300 off their electricity bill over the first three years of the scheme.

**MR COE:** In the IPART document, there is a detailed chart and breakdown of how much each green energy scheme contributes to average household bills. Has your directorate compiled a similar list?

**Mr Corbell:** The ICRC, in its recent price determination, has broken down these figures. I would refer you to the ICRC report.

**MS HUNTER:** Could I follow that up. You are saying the ICRC did have the cost to households or individuals—is that what was being asked there?—of, say, the solar feed-in tariff?

**Mr Corbell:** The ICRC has indicated what the different elements are of any price increase in electricity prices. The main elements of the increase in electricity prices are, first of all, network charges. Network charges account for 24 per cent of the increase. Within the network charge is the charge for the ACT's micro and medium feed-in tariff but that ACT micro and medium feed-in tariff is a minuscule element of the network charge. In fact, it is so small that the ICRC cannot quantify it in the context of the overall 24 per cent because it is such a small element of the overall network charge. The inclusion of the ACT's energy efficiency improvement scheme has been factored into the TFT decision by the ICRC, and that accounts for around four per cent of the increase.

Then on top of that, commonwealth renewable energy costs have actually decreased by around 13 per cent. So the commonwealth's RET scheme, which Mr Coe was referring to, has actually decreased as an overall contributor to costs.

**MR COE:** As a percentage or in actual terms? In real terms?

**Mr Corbell:** It would be both, a 13 per cent decrease.

**MS HUNTER:** Could you go back, how much did you say the increased cost to each householder of the feed-in tariff would be, if you can clarify that?

**Mr Corbell:** In relation to the micro and medium scheme?

**MS HUNTER:** Yes, the micro and medium scheme.

**Mr Corbell:** The micro and medium scheme is currently contributing about \$26 a year per household to the average electricity bill.

**MS HUNTER:** How does that stack up with Mr Seselja's media release that it will add another \$225 to Canberran's electricity bills?

**Mr Corbell:** I have seen Mr Seselja's statement. Once again he was wrong, but that is not new for Mr Seselja.

**MR SMYTH:** Why is it not?

**Mr Corbell:** Mr Seselja claims the cost of the large-scale feed-in tariff scheme is \$225 to the average ACT electricity bill. In fact, that is not correct. At this point in time, the government has agreed only to the deployment of 40 megawatts of large-scale renewable energy generation in the territory. We estimate that the cost passed through to households will be in the order of \$32 per year per household in the year 2014-15.

The reason for this is that we have seen significant decreases in the cost of PV production since the government's first assessment of costs of large-scale solar was undertaken back in 2008-09. The cost of PV technology production has decreased in the order of 80 per cent over the last three years. There is a revolution occurring in the cost and the ability to efficiently manufacture solar PV cells and this is leading PV to be increasingly competitive in comparison with other forms of energy generation.

Using a Bloomberg referenced fit of \$261 per megawatt hour and a NEM price, national electricity market price, of \$59 per megawatt hour for the wholesale price of electricity, the total pass-through per household is in the order of \$32 per household per year to deliver 14 megawatts of large-scale solar. That pass-through cost will decline over time as the cost of fossil fuel generation rises.

The operation of the large-scale feed-in tariff scheme is such that it only pays the difference between what the wholesale price is and what the cost is to sell and recover the cost of renewable energy generation. We anticipate that we will not see feed-in-tariff payments for a full 20-year term under large-scale solar arrangements because the price of wholesale electricity will rise to market parity with the cost of renewable energy generation, and no further price support will be required.

**MS HUNTER:** That is, in your view, an incorrect figure that is being put out there?

**Mr Corbell:** Mr Seselja's figure is wrong, it is scaremongering and it demonstrates

complete—

**MR COE:** If there are going to be no payouts, why do the scheme?

**THE CHAIR:** One at a time.

**Mr Corbell:** It demonstrates a complete lack of understanding, first of all of how the large scale solar auction operates and, secondly, a complete lack of understanding of what is happening in the renewable energy market internationally.

**MR SMYTH:** But countries like Germany are now moving to drop the tariff that they are paying. Will we be caught in the same predicament, as the schemes are not required?

**Mr Corbell:** Once again, Mr Smyth, your question highlights your ignorance of how a large scale solar auction operates. I will tell you why and I will answer your question—

**MR SMYTH:** Gee, that is a good defence.

**Mr Corbell:** I will answer your question because you are just wrong. The large scale feed-in tariff does not operate on the basis of the minister or the government determining a price per kilowatt hour. The way it operates is through an auction process whereby bidders in the auction indicate what price they are seeking in a guaranteed feed-in tariff payment to deploy large scale solar. Because it is an auction, the government gets to choose the cheapest and most cost-efficient price, and that price declines further over time as the difference between the wholesale price of electricity and the cost of renewable energy generation converges.

So what needs to be recognised when it comes to the large scale feed-in tariff auction is that it is Canberra's opportunity to get ahead of the curve, to get deployment of large scale renewable energy here in our territory now, recognising that price support is only going to be a temporary measure before grid parity is achieved for large scale solar and it will no longer be required.

**MS LE COUTEUR:** I will move back to waste. First, hopefully I misheard you, Mr Corbell, but you said that the newly implemented commonwealth e-waste scheme had diverted e-waste from landfill. I did not realise that it was going into landfill in the ACT before that. I thought it was purely a financial issue. Hopefully I misheard you on that.

**Mr Corbell:** The government recently took the decision not to allow e-waste to go to landfill, but prior to that time it was going to landfill.

**MS LE COUTEUR:** So it was only a couple of months ago, are you suggesting, before that—

**Mr Corbell:** No. You would have to check with—

**MS LE COUTEUR:** I thought it was a few years ago that it happened.

**Mr Corbell:** It was about 12 or 18 months ago that the decision was taken. Prior to that it was going to landfill.

**MS LE COUTEUR:** The final waste strategy was released obviously in December 2011 and presumably this policy replaced the policy of no waste by 2010?

**Mr Corbell:** That is correct.

**MS LE COUTEUR:** So, given that our new policy did not come out until December 2011, am I correct in assuming that we were still aiming for no waste by 2010 until December 2011, or did we have no policy or—

**Mr Corbell:** The government was reviewing its policy.

**MS LE COUTEUR:** So the government was reviewing its policy, but operationally you could not just cease it. Were we still aiming for no waste up to—

**Mr Corbell:** Operationally the programs that were being deployed when the old policy was in effect are still being deployed.

**MS LE COUTEUR:** Okay. In BP4 at page 316 you have got a new policy accountability indicator, which is to report progress against targets set out in the ACT waste management strategy, and you have got the target of doing this by June 2013, which is great. But is this a once only report, as it appears to be? Surely we are going to have at least an annual report or a quarterly report.

**Mr Corbell:** No. It is an annual reporting target.

**MS LE COUTEUR:** So it will be reported annually. Where will it be reported annually? Is it going to be a separate report? How is this going to happen?

**Mr Corbell:** I am advised it will be reported in the directorate's annual report.

**MR COE:** So it will not be published quarterly?

**Mr Corbell:** No. It will be published on a yearly basis. That is what the indicator reflects.

**MS LE COUTEUR:** You have set a target of June 2013, so it will be reported in each annual report from now on?

**Mr Corbell:** Yes.

**MS LE COUTEUR:** Good. BP3 at page 281 talks about the commercial MRF—the clean MRF, I believe we would call it, rather than the dirty MRF—and I understand the proposals for that closed at the end of March 2011, which is a little while ago. What is happening with that? Has a contract been let?

**Mr Corbell:** As you would appreciate, Ms Le Couteur, my directorate is responsible

for waste policy. Operational delivery of waste services is the responsibility of Territory and Municipal Services. I would have to refer your question to them.

**MS LE COUTEUR:** Okay. It is not something that is relevant to policy—we presumably have not let it or—

**Mr Corbell:** It is certainly relevant, but you are asking a specific question about delivery of that service, which is the responsibility of Territory and Municipal Services. So I am just asking you to ask the question of them.

**MS LE COUTEUR:** From a policy point of view do you have a time line when it needs to be delivered?

**Mr Corbell:** The time line is outlined in the waste management strategy. I can take on notice exactly what it is. The waste management strategy specifically refers to this material recovery facility for dry mixed commercial wastes and that is reflected in the strategy.

**MR COE:** And, whatever that strategy is, are you on track to meet that time line?

**Mr Corbell:** I understand we are on track in relation to that time line.

**MS LE COUTEUR:** This is a policy question. How did you set the priorities in dealing with waste reduction? Clearly, as Mr Smyth has said, there is still a lot of waste being generated in the ACT. How do you choose the number one priority?

**Mr Corbell:** There are a number of priorities, but the highest ranking of them would be exactly the wastes that are targeted by the clean material recovery facility for dry mixed commercial wastes. A very large volume of waste going to landfill currently can be diverted from the commercial waste sector; so we estimate in excess of 40,000 tonnes of material each year through the material recovery facility for dry mixed commercial wastes.

There are also significant opportunities in industrial wastes, so building wastes. There is further work to be done in the building waste sector. And in the residential sector the number one priority is organic wastes, food wastes, which are currently ending up in landfill.

**MS LE COUTEUR:** You talked about the clean MRF and the commercial waste. Is organic waste from the commercial sector not a priority area? I understand that would not be dealt with by the clean MRF.

**Mr Corbell:** It is an area of waste stream that we need to capture, but it is not as large as the amount of food waste that is originating out of households, so organic food waste from households is the highest priority area in the residential waste sector.

**MS LE COUTEUR:** Thanks.

**MR SMYTH:** Could I just go back to something Mr Corbell just said about Mr Seselja's press release? Mr Corbell, I refer you to page 47 of the climate change

inquiry committee hearings when Mr Seselja asked you for the cost:

**MR SESELJA:** That is right through from small scale to large scale—\$175?

**Mr Corbell:** That is not including the 30 megawatts ...

**MRS DUNNE:** So it is \$175 for the large scale—

**Mr Corbell:** For the large category, yes.

**MRS DUNNE:** Which is more than was originally thought?

**Mr Corbell:** The important point to make about that is that, firstly, price impact would be over an extended period of time. ...

**MR SESELJA:** If I could confirm the numbers I have, the \$30 to \$40 was rolled into the \$175. Then it was roughly \$50 per household. That part has already been factored in? That includes small and medium?

**Mr Corbell:** That is correct.

**MR SESELJA:** At this stage the total projected is \$225 when it is fully operational.

**Mr Corbell:** At the end of the scheme, once fully utilised, which could be over a five to ten-year period.

**MR SESELJA:** That is in today's dollars?

**Mr Corbell:** Yes.

They are your own words, Mr Corbell. It is really tough, when you are talking about ignorance, that you do not actually remember what you said. Guess who is feeling a little bit ignorant now?

**Mr Corbell:** It was two years ago and, as I indicated to you, Mr Smyth, we have seen significant price reductions in the cost of PV over the last two to three years, in the order of 80 per cent. I do not know what you—

**MR COE:** How ignorant of Mr Seselja to quote you!

**MR SMYTH:** Yes.

**THE CHAIR:** Let us have one person speaking at a time. Mr Coe, please!

**Mr Corbell:** I do not know what you do not understand about that explanation.

**MR SMYTH:** I do not understand what you do not understand about your own words. I guess it must hurt.

**Mr Corbell:** Again what this highlights is the Liberal Party's inability to properly understand how a large scale auction operates, the dramatic changes that are occurring

in renewable energy production methods and the fact that three years ago the largest PV manufacturer in the world was in Germany. That PV manufacturer is now bankrupt and the largest PV manufacturers in the world are in China. And China are delivering PV cells in the order of 80 per cent cheaper than Germany ever could. This is leading to a revolution and a complete change in the cost profile of PV, and the government's assessments of that reflect that.

**THE CHAIR:** I will go to Ms Le Couteur—one last question.

**MS LE COUTEUR:** I had another question on waste. The Hyder report that was recently produced, the second one, made a number of recommendations to improve dry recycling systems in multi-unit developments. What is the government's response to those recommendations?

**Mr Corbell:** Sorry? Which recommendations?

**MS LE COUTEUR:** The second Hyder report. It made a number of recommendations on dry recycling. What is the government's response to these recommendations?

**Mr Corbell:** That report is relatively recent. The government is currently considering its responses to those recommendations.

**MS LE COUTEUR:** Will you report to the Assembly on your responses to its recommendations?

**Mr Corbell:** The government will certainly make its position public in relation to what steps it will be taking in relation to dry recycling in multi-unit development.

**MS LE COUTEUR:** Do you have a time frame for that?

**Mr Corbell:** Not at this time.

**THE CHAIR:** Ms Hunter, do you have a question?

**MS HUNTER:** I did not have any questions on waste.

**THE CHAIR:** Did you have another question?

**MS LE COUTEUR:** No.

**THE CHAIR:** Any more questions on waste? We can move on?

**MS HUNTER:** I have a general question, but it is going to take a bit longer than seven minutes so if someone has a shorter question—

**MR COE:** I will happily jump in. You might have to take it on notice. It is regarding our rebate program, listed on page 312 of budget paper 4 as part of output 1.5. For the wood heater replacement program; the energy audit, including the home energy advice team; the rainwater tank rebate; the ToiletSmart and ToiletSmart Plus

programs; the IrrigationSmart program; and the GardenSmart program—would you please provide the total expenditure for the last three financial years, including this year to date.

**Mr Corbell:** I refer you to the relevant annual reports where government has already publically reported that total.

**MR COE:** Firstly, would you do it. Secondly, would you also include this financial year, perhaps as of 1 June?

**Mr Corbell:** I am happy to provide it for this financial year. I refer you to the annual reports for the other data that has been publically reported already.

**MR COE:** I am disappointed.

**Mr Corbell:** It is not my job to do your homework.

**MR COE:** It does make it quite clear that you are trying to hide something.

**Mr Corbell:** I am not hiding anything. I just think my office has got better things to do than do your calculations for you.

**MR COE:** What is the budget allocation for each year from 2012-13 through to 2015-16 for each of the programs that I listed?

**Mr Corbell:** A number of those programs are—can you just go through which programs you are specifically interested in, Mr Coe?

**MR COE:** Sure: the wood heater replacement program; the heat energy audit, including the home energy advice team; the rainwater tank rebate; the ToiletSmart and ToiletSmart Plus programs; the IrrigationSmart program; and the GardenSmart program.

**MS LE COUTEUR:** Could I ask a supplementary about the HEAT program?

**MR COE:** How much has been spent for each of those programs for the last three years—which they are refusing to give—and then how much has been budgeted for for the following few years.

**THE CHAIR:** That is being taken on notice.

**Mr Corbell:** It is probably best that I do take it on notice. A number of those programs are changing as a result of government policy decision making or the fact that they are now being supplanted by more comprehensive measures. I will take the question on notice.

**THE CHAIR:** So it is taken on notice.

**MR COE:** If you would please consider taking the previous few as well, that would be good.

**THE CHAIR:** You had a follow-up, Ms Le Couteur.

**MS LE COUTEUR:** Can I just ask a couple more questions about the HEAT program, as we are on it. As you may be aware, if you had an audit done by the HEAT people, you had to sign permission for the HEAT people to have access to your energy use information over a period of time. What, if anything, was being done with that? It would seem to me to be an incredible database you have. You have got a large sample of energy use figures and you also have some small idea of what has been done to the houses in terms of actual studies as to what happens. Has anything been done with this?

**Mr Corbell:** I am advised that people provide their energy bills if they actually take up the rebate, not if they just participate in the audit. If they just participate in the audit but then decline to take up the rebate, they do not supply their electricity or gas bills. But if they do, they do.

In those circumstances, the electricity bill and the gas bill are used to look at the general usage profile of households. What we are finding is that, generally speaking, households that participate in this program are households that are at an income level where they can afford to take advantage of the rebate. The rebate requires a certain level of up-front investment on the part of the householder: \$2,000 has to be spent by the householder before they get the \$500 rebate from the government. It is really only benefitting a fairly narrow group of households.

That is why the government has moved to a more comprehensive deployment of energy efficiency measures through the energy efficiency legislation, the cost of living legislation, and also through targeted programs for low income households, such as the outreach programs, which are not dependent on people's capacity to pay but are targeting low income households that can get some real benefits through direct interventions to assist with energy efficiency.

**MS LE COUTEUR:** My question was not whether the HEAT program was good or bad. It was really more about what analysis, if any, has been done of the data, given that we had to sign up. I actually did not get the HEAT rebate, but I still had to sign up to give permission for my data to be used by the HEAT auditors. It is an academic question: are we using this unparalleled data?

**Mr Corbell:** I think that when people do the audit, they provide a copy of their electricity bill so that the auditor has a bit of a sense of where their energy consumption is prior to the audit. That allows them to identify the most cost effective measures for the householders to consider to improve their energy efficiency and their overall energy consumption. Then there is a second stage where you provide your subsequent bills so that a comparison can be made before or after. In terms of exactly how the HEAT team is using that, I will take that question on notice.

**THE CHAIR:** So it is taken on notice. We will break for afternoon tea.

**Meeting adjourned from 3.30 to 3.50 pm.**

**THE CHAIR:** I will go to my question. We have already talked about ACTSmart; I want to ask a couple more questions around the ACTSmart programs. The specific reference is budget paper 4, page 319. There is \$951,000 rolled over from last year's budget. I am wondering if we can have an explanation as to why that money was not spent in the previous budget. I will go to that first; then I will go to my next question on it. It is just finding out why we have the rollover there.

**Mr Meyer:** Which page are you on?

**THE CHAIR:** It is budget paper 4, page 319. There is a rollover for ACTSmart programs of \$951,000.

**Mr Meyer:** The rollover was due to the fact that, with the contractual arrangements, some of them came in late, so we are carrying them over to the next financial year.

**THE CHAIR:** So it is actually a contracting invoice?

**Mr Meyer:** Sorry?

**THE CHAIR:** Is it a contract or invoice—

**Mr Meyer:** It is to do with the contractual arrangements and some parts of invoicing arrangements as well, but—

**THE CHAIR:** So they come in after the financial year?

**Mr Meyer:** That is right.

**THE CHAIR:** I do not know if this relates to Mr Coe's question, but is it possible to get the year-on-year spend for the ACTSmart programs?

**Mr Meyer:** Yes; Mr Coe asked that question.

**THE CHAIR:** I was not sure if that included each of the programs in there. Also, and this might be a technical question as well, again on budget paper 4, page 319, it looks as though there is about 2.47 million that will be taken away from programs across 2013-14 and 2014-15. Is that correct? It is just up there. If you look at it, it has got "Ceasing initiative—ACTSmart programs (partial)". There is 1,219 and then 1,250, one in 2013-14 and one in 2014-15.

**Mr Corbell:** That is the ceasing of the range. That is predicated on the assessment that, with the implementation of the energy efficiency cost of living scheme, that will deploy a large range of energy efficiency measures into households through the electricity retailers and therefore there will not be the need for the same services to be provided by ACTSmart.

**THE CHAIR:** So there are no other programs that are ceasing funding? I understand that explanation, but there are no other specific programs that are being affected by any other arrangements, whether it is federal arrangements or any other arrangements?

**Mr Corbell:** Within the ACTSmart suite of programs, there is a range of water programs. The government has taken the view, following the ICRC's report on secondary water use, that a number of those programs should be discontinued.

**THE CHAIR:** Is that the rainwater tank program?

**Mr Corbell:** [It is the rainwater tank program, and the IrrigationSmart program.](#)

**THE CHAIR:** And that is because of the ICRC?

**Mr Corbell:** Yes. That is based on the conclusions of the ICRC that they are relatively cost-inefficient measures. Their recommendation is that secondary water measures should not be pursued.

**THE CHAIR:** So it is not based on any other evaluation—purely on the ICRC ruling?

**Mr Corbell:** It is based on the assessment by the ICRC as to the relative cost effectiveness of those measures.

**THE CHAIR:** There was not any other evaluation of the programs? You said it is about the cost efficiency. There was not any other evaluation of it?

**Mr Corbell:** There has been evaluation undertaken of the ACTSmart program overall, and different components of it, but that was not an assessment based on the cost efficiency of the program.

**THE CHAIR:** Regarding the ACTSmart office and smart business programs—this might need to be taken on notice—what is the recurring cost for these programs?

**Mr Corbell:** I will take the question on notice.

**THE CHAIR:** Could you also take on notice, under each program, how many businesses and offices have signed up. And how many have been accredited?

**Mr Corbell:** I have got that data; I will find that now and provide it to you now.

**THE CHAIR:** Did you say you had that data.

**Mr Corbell:** Just give me one moment. ACTSmart office—the number of office sites signed up to the program as at April this year is 188. The number of accredited offices is 29. Diversion from landfill is 2,419 cubic metres per annum from the accredited sites. There is an increase in mixed recycling of 844 cubic metres per annum from the accredited sites. In relation to ACTSmart business, the number of businesses signed up to the program as at May this year is 303. The number of accredited businesses is 53, with 104 individual stores at the Tuggeranong Hyperdome expected to be accredited in June 2012.

**THE CHAIR:** What was the total for business again?

**Mr Corbell:** Accredited?

**THE CHAIR:** Total businesses signed up.

**Mr Corbell:** It was 303.

**THE CHAIR:** Is it possible to get that information provided?

**Mr Corbell:** I have just given you that information.

**THE CHAIR:** I missed a couple of those answers. It is all right; we can check the *Hansard* for those.

**MR SMYTH:** If you have got it written, can you provide the table to the committee, please?

**THE CHAIR:** That would be useful, thank you. Okay.

**MR SMYTH:** Is that taken on notice?

**THE CHAIR:** No. If we can get a copy of the information, that would be useful.

**MR SMYTH:** On page 323 of budget paper 4, just going through some of the numbers, there are four sustainability works in progress. The inner north storm water reticulation network is now slated for completion in June 2014. In last year's budget paper it was June 2013. Why the delay?

**Mr Corbell:** Protracted wet weather in the middle of this financial year led to considerable delays on site.

**MRS DUNNE:** So that is the rollout of the purple pipe. Is that money there essentially—

**Mr Corbell:** That is the completion of the Lyneham pond and the rollout of the reticulation infrastructure.

**MRS DUNNE:** That is the reticulation infrastructure all the way up to—

**Mr Corbell:** Yes.

**MRS DUNNE:** That \$7.5 million is only part of the cost of that project. Can you perhaps, on notice, provide the committee with the total cost of the project at this stage, including the cost for the Hawdon Street pond? And is there reticulation from the Hawdon Street pond to anywhere or is that just for that site there?

**Mr Corbell:** Dickson and Lyneham are networked in their reticulation through to Flemington Road. I am happy to take the question on notice.

**THE CHAIR:** So that was taken on notice.

**MR SMYTH:** Can I just run through it?

**MRS DUNNE:** Yes; sure.

**MR SMYTH:** The next one is the north Weston-Molonglo stormwater for a million dollars. It is slated for completion in June 2013. Last year's budget paper has that for completion in June 2012, at a cost of \$5 million. What is the difference and why the delay?

**Mr Corbell:** Could you repeat the question, Mr Smyth. I am sorry.

**MR SMYTH:** The north Weston-Molonglo stormwater harvesting scheme is on page 323 of budget paper 4. This year the total value is \$1 million for completion in June 2013. Last year, budget paper 4 on page 306 has it for completion in June 2012—that would be this month—and a value of \$5 million. Why the delay, and what has been scaled back?

**Mr Corbell:** Delivery of this project is based on the completion of the north Weston ponds. Obviously, that is where the water was proposed to be reticulated from. Due to delays in the completion of north Weston ponds, there are delays in the subsequent installation of certain infrastructure for reticulation.

**MRS DUNNE:** But it seems to be down-scaled as well?

**Mr Corbell:** Yes, it has been down-scaled. The reason for that is that, again consistent with the ICRC's recommendations, the government will trial stormwater harvesting and reuse in the inner north project and will only complete works necessary to allow potential reticulation at a future point from north Weston.

**MR SMYTH:** Does that mean that if it was then to go ahead in north Weston-Molonglo, we would have to come back and retrofit?

**Mr Corbell:** I will have to take advice on the exact nature of the works funded in relation to this \$1 million, but my recollection is that those are the necessary headworks, if you like, required to go in as part of the development of north Weston pond. That would allow reticulation to then be added to it at a later point.

**MR SMYTH:** The Gungahlin valley ponds and stormwater harvesting scheme was due for completion in May 2012, according to last year's budget paper. It has now been put back to December 2012. What is the reason for the delay?

**Mr Corbell:** Wet weather.

**MR SMYTH:** The accelerating replacing stormwater drains with wetlands project was due for completion in September 2011, according to last year's budget paper. It has now been put back to September 2012.

**Mr Corbell:** I am advised that this particular project is being delivered by the planning area in ESDD. Unfortunately, officers are not here, so I will have to take the

question on notice. They were present for the previous session last week. I will take the question on notice.

**THE CHAIR:** That is taken on notice.

**MS HUNTER:** I just wanted to ask a couple more questions on the ACTSmart office and ACTSmart business programs. You have already given some information. I was wondering what the cost and staff requirement of running these programs is.

**Mr Meyer:** We have effectively four officers that are supporting that program, but they also assist with other elements of the ACTSmart delivery programs as well.

**MS HUNTER:** Every office and business that has signed up to either of these programs—has there been some auditing?

**Mr Meyer:** Yes, there has. They are actively audited and the results have been excellent.

**MS HUNTER:** Are those results publicly available?

**Mr Corbell:** Yes, they are. In fact, I just provided them to Ms Bresnan earlier—at least some of them. I recently attended an awards breakfast for participants in ACTSmart office and business. About 100 people attended that breakfast—it was an excellent turnout—from right across the small and medium business sector and also some larger ACT government and private sector sites. There is some really excellent innovation—everything from diversion of waste wrapping from medical products at Calvary hospital all the way through to water capture at a concrete batching plant. There are some really innovative projects being delivered by the small and medium business sector.

ACTSmart office and business are proving to be very popular. As I indicated, we expect to see accreditation of the Tuggeranong Hyperdome and all 104 of its shops, including its food court, in June this year. That will make the Tuggeranong Hyperdome the first shopping centre in Canberra to be accredited under ACTSmart office and business. It will be diverting a large amount of waste from landfill because of its involvement in the government's program.

**MS HUNTER:** Has there been engagement with other large shopping centres to encourage them?

**Mr Corbell:** Yes, there has. In particular, discussions are ongoing with the Canberra Centre as another very large generator of waste. The Westfield shopping centres at Belconnen and Woden take a different view to participation in these programs. They prefer to participate in the national packaging covenant programs, which do not capture the same amount of waste as ACTSmart office and business. The national packaging covenant will capture bottles, cans and certain plastics, and paper and cardboard, but it will not capture, for example, food waste; whereas ACTSmart office and business are putting in place mechanisms for shopping centres and food courts to actually capture and divert food waste from landfill.

**MS HUNTER:** I just wanted to get some idea about the standards for accreditation. We have got 188 in the office smart program, 29 of them are accredited; there are 303 in business and 53 are accredited—and more are coming online, as you said, with the Tuggeranong Hyperdome. Could I get some idea about what are the standards of accreditation?

**Mr Corbell:** I would have to take that on notice, Ms Hunter.

**THE CHAIR:** So that is taken on notice.

**MS HUNTER:** Thank you.

**MR SMYTH:** I have a new question. The Queanbeyan sewerage works. What agreements are in place with the Queanbeyan City Council in relation to its sewerage works which are located in the ACT?

**Mr Corbell:** I will have to ask the EPA to assist with that question.

**Mr Walters:** The Queanbeyan City Council holds an environmental authorisation with the EPA under the Environment Protection Act, which details the standards that apply to discharges from the plant.

**MR SMYTH:** What money changes hands in either direction and for what purposes in regard to the work?

**Mr Corbell:** With regard to what, I am sorry?

**MR SMYTH:** In regard to the sewerage works in the ACT.

**Mr Corbell:** In what respect, Mr Smyth? I am a bit unclear.

**MR SMYTH:** Do we pay for anything to do with the Queanbeyan sewerage works located in the ACT?

**Mr Corbell:** Not that I am aware of.

**Mr Walters:** Purely from the EPA's perspective, it is a licensing aspect. They pay us a fee for the discharges that they emit. As to the network side of it, the EPA would not be familiar with those components.

**MRS DUNNE:** So who would know whether there are network fees?

**Mr Corbell:** The Queanbeyan City Council. It is their facility.

**MRS DUNNE:** But it is in the ACT; it is physically in the ACT.

**Mr Corbell:** Yes, but they own it.

**MRS DUNNE:** They own it. So what is the arrangement whereby they own and manage a facility in the ACT which provides a service on one side of the border but

the service is actually on the other side of the border and is subject to the ACT EPA?  
Is there a—

**Mr Corbell:** It is subject to ACT law.

**MRS DUNNE:** Is there an MOU or anything that governs it as well?

**Mr Corbell:** No, it is subject to the provisions of the Environment Protection Act.

**MRS DUNNE:** And that is it? That is the only—

**Mr Corbell:** It is subject to any relevant provisions of any relevant ACT statute. Obviously if people are working on the site they are subject to the occupational health and safety laws of the territory and so on.

**MRS DUNNE:** So the only agreements that you are aware of relating to the water are the licences with the EPA?

**Mr Corbell:** Yes.

**MRS DUNNE:** Have there been any breaches of the terms of the agreement?

**Mr Walters:** Environmental authorisations are reviewed annually for compliance. The outcomes of those are publicly available.

**MRS DUNNE:** I am sorry, Mr Walters, could you speak up a little bit, please?

**Mr Walters:** They are publicly available—the annual reviews. I would have to take it on notice as to the exact outcomes of either the previous review or the current one.

**MRS DUNNE:** I would like to know for, say, two or three years, have there been any breaches of the licence, what remedial action was necessary, if there were breaches, and whether there was compensation or fines paid or whatever.

**Mr Walters:** Yes.

**Mr Corbell:** We will take that on notice.

**MRS DUNNE:** Thank you.

**THE CHAIR:** That has been taken on notice. Did you have some supplementaries?

**MS HUNTER:** Yes, while Mr Walters was up here. I understand that there has been a review of the EPA. I wanted to know what the basis of the review was and whether it has been finalised.

**Mr Corbell:** The government has commissioned an operational review of the EPA to look at its operations and opportunities for enhancement, improvement and further development of its practices. Mr Papps, as director-general, has commissioned that process.

**MS HUNTER:** When will that be finalised?

**Mr Papps:** It is still underway. We are expecting final reports in the near future. Of course, it is complementary to the government's initiative around the review of the Environment Protection Act. We expect the internal review that you have just referred to within the next two or three months.

**MS HUNTER:** Will that review be made public?

**Mr Papps:** It is not planned to be made public at the moment in the sense that it is an internal review commissioned by me.

**THE CHAIR:** While we have got Mr Walters up here, if anyone has—

**MRS DUNNE:** I have actually got some more, if I could.

**THE CHAIR:** Yes. Did you have another one, Ms Hunter?

**MS HUNTER:** I am happy to go to Mrs Dunne.

**MRS DUNNE:** Thank you. If I could get back to the Queanbeyan treatment plant. There is a plan to upgrade the Queanbeyan treatment plant to make it more flood proof. What role does the ACT government have in that upgrade in terms of planning and consultation? Who signs off on the plans et cetera?

**Mr Walters:** From the EPA's perspective, we would obviously look through our review program and any efficiencies that can be gained. I believe there has been some New South Wales funding provided in relation to that. You would have to ask Queanbeyan City Council exactly where that funding program is at. If it is on territory land I would assume it would also need some form of approvals; if there were physical works that would need to occur as well. We would, of course, amend the authorisation to capture any works that changed the plant's functions and outputs.

**MRS DUNNE:** Are you aware of the timetable for that upgrade?

**Mr Walters:** No.

**MRS DUNNE:** Is there any ACT government money that would be going into the upgrade?

**Mr Corbell:** No, not that I am aware of.

**MRS DUNNE:** Not that you are aware of?

**Mr Corbell:** No.

**MRS DUNNE:** Is it that there is no money or you are not sure that there is any money?

**Mr Corbell:** As far as I am aware, there is no money.

**MRS DUNNE:** Okay. Just to clarify this, Mr Walters, do you have any involvement in the decision making about the flood-proofing plan or do you have any input into the design of the flood-proofing plan?

**Mr Walters:** To the extent that the flood proofing would improve or enhance the environmental capacity of the plant to obviously not impact the environment through future flood events. We work pretty closely with all our authorisation holders through the review process. Obviously, it is an engagement process rather than a pure regulatory process. We will work with Queanbeyan. Of course, the funding is from an external source in terms of the New South Wales government but our primary tenet is to ensure that impacts on the environment are minimised. We will work with them fairly closely if they can get funding to enhance their plant as to how that money would be best facilitated. We would work with their engineers in that respect.

**MRS DUNNE:** Yes. Who do I ask about the Water Resources Act? Is that you, Mr Walters?

**Mr Corbell:** It is policy.

**MRS DUNNE:** It is policy. Could I ask a question, Madam Chair?

**THE CHAIR:** Yes.

**MRS DUNNE:** There were changes to the Water Resources Act in 2010. What arrangements are in place for licensing, metering and revenue collection for water that was previously not caught under the act under federal legislation? How much revenue do we estimate will be raised this financial year and next financial year?

**Mr Corbell:** I will have to take the question on notice.

**Mr Walters:** I do not have the information.

**MRS DUNNE:** Okay, that is fine.

**THE CHAIR:** That is taken on notice.

**Mr Corbell:** It is quite a complex question.

**MRS DUNNE:** Yes. I have issues in relation to Lake Burley Griffin. Is that you, Mr Walters?

**Mr Corbell:** It depends.

**MRS DUNNE:** Yes, I know. There are a whole lot of things that “depend” when it gets to Lake Burley Griffin. Really, I suppose my pivotal question is: what elements of the lake are owned, managed and regulated by the ACT and the federal government? That may be a question you take on notice because there are clear demarcations—

**Mr Corbell:** None of the water in Lake Burley Griffin is owned or managed by the ACT government.

**MRS DUNNE:** So what parts of Lake Burley Griffin are managed or owned by the ACT government?

**Mr Corbell:** By “the lake”, do you mean the water in the lake or do you mean the—

**MRS DUNNE:** I am going to take a holistic approach to the lake.

**Mr Corbell:** area that surrounds the lake?

**MRS DUNNE:** I do not want to limit myself.

**Mr Corbell:** Land management responsibility on the foreshores of Lake Burley Griffin, recognising that the lake itself is the body of water that is the inundation of the Molonglo River, and ownership of that land varies between the commonwealth, through the National Capital Authority and the ACT government.

**MRS DUNNE:** For instance, by way of answer to a question on notice, could you perhaps provide the committee with a map that says which bits are the responsibility of whom?

**Mr Corbell:** Foreshore management?

**MRS DUNNE:** Yes.

**Mr Corbell:** I will do my best.

**MRS DUNNE:** The fact that you have to do your best seems that there is a level of ambiguity.

**Mr Corbell:** It is complex. Not necessarily ambiguity, but it is complex, and I am not quite sure that such a map has been produced. These assessments usually occur on a site-by-site basis depending on what particular area of the lake is being investigated. As you would appreciate, the lake is a very large area when you take into account the foreshore around it. I am not quite sure how far back from the lake edge you want me to go, Mrs Dunne.

**MRS DUNNE:** When I said I wanted to take a holistic approach to the lake, I wanted to ask the question: who is responsible for the Jerrabomberra wetlands? Is that you?

**Mr Corbell:** Jerrabomberra wetlands is managed by TAMS.

**MRS DUNNE:** There are some issues that I will ask, but I will leave that for TAMS. Thanks, Madam Chair.

**THE CHAIR:** Did you have any more questions while Mr Walters is here?

**MS HUNTER:** Yes, I certainly did. I want to know how many staff does the EPA have who are responsible for enforcing the sedimentation regulations pertaining to urban development? How many staff do you have out there on the road actually doing that job?

**Mr Walters:** Within the branch we have quite a number of staff that are authorised officers who can perform those functions. Obviously, we would call on staff as necessary. Generally, the branch is subdivided into a number of sub-units. One particularly deals with regulation, one deals with standards and one deals with water resources. That is the sort of key break-up of it.

The group that has primary responsibility—it does not mean they do not call on staff from those others, because we like to integrate their experience through the unit—would be four or five. It fluctuates between that depending on staff absences that have primary training in that. For example, we just did a training exercise with the Land Development Agency—our staff, some of the planning people and New South Wales EPA. So we had 30 or 40 people at that training exercise.

Our approach is a sort of a multiskilled approach where, if we need to do a targeted campaign, we will draw on people from the other units. But they are dedicated generally to that. Unfortunately, they are dedicated to a lot of other things as well, as you can imagine.

**MS HUNTER:** That is what I am trying to get a handle on. Yes, you have got four or five, but when you actually distil it down, how many hours a week would be dedicated to this particular activity?

**Mr Corbell:** I will take the question on notice, Ms Hunter.

**THE CHAIR:** Okay, that is taken on notice.

**MS HUNTER:** It is actually a—

**Mr Corbell:** I will endeavour to answer it as effectively as possible, but it is not always easy to ascertain the level of detail you are seeking.

**MS HUNTER:** What I am trying to get a handle on too is whether you have a regular roster or program of people going out to check on these ponds or is it only in response to someone ringing up and complaining or raising an issue?

**Mr Walters:** No, what we have done is to designate areas of Canberra to an officer generally so it is clear with the community and with the building industry who is the person in that area. They will undertake both random inspections and normal audit compliance inspections. All of the developers have agreements with the EPA; so they have to come in for any of the large greenfields and have their sediment erosion control plans approved.

Obviously, our staff then would go out on a regular basis and audit that. At the moment, our primary focus is obviously in the Molonglo valley and Gungahlin, because that is where the primary development is. While staff would obviously visit

those other areas, our primary focus—redevelopment sites, as you can imagine, present different issues. I am referring to people tracking dirt onto roads and that.

We have just done, I think it was last week or the week before, a targeted campaign on the Gungahlin area developments after I met with the community council. They expressed some concerns out there; so we had a closer look at those developments in that area.

**MS HUNTER:** And what is the responsibility of developers with these ponds so far as how you maintain them?

**Mr Walters:** From a technical perspective, you have to have a certain sized pond for a certain catchment area, essentially. We have got a guideline for construction and land development in the ACT which was recently reviewed—I think last year, 2011. It sets out the design parameters that they have to achieve.

**MS HUNTER:** Are all the ponds in the ACT compliant?

**Mr Walters:** Yes. The reason they comply is that we have to approve them at the beginning. That does not mean, obviously, that they go and do the right thing. So one of the first things, obviously, we do at the early stages, particularly with greenfield developments, is go out and have a look to make sure they are appropriately sized.

A critical element is the maintenance, as you have alluded to. They have to maintain them at 20 per cent. You cannot just let them fill up and then it rains again. They will just keep overflowing. We have some rather strange practices that some developers may try occasionally. That is obviously why we have enforcement powers if they do things they should not, like discharge them without flocculating them or cut a trench and discharge them some other way.

**MS HUNTER:** I have got some real concerns about what is happening with some of these ponds—not keeping them at 20 per cent and not doing the right thing. We are seeing a lot of turbidity in Lake Ginninderra that appears to be coming down from developments in Crace and so forth. Can you give us a breakdown—you might need to take this on notice—of how many breaches have occurred in the last three financial years, including this one?

**Mr Walters:** I would have to take that on notice.

**THE CHAIR:** That is taken on notice.

**MS HUNTER:** What is the usual response? If you go out and find that someone is not complying, what action is taken?

**Mr Walters:** Generally, we have agreements with the developers. If we have approved a certain erosion control plan, it is pretty blatant if something—I mean, I cannot speak for every case. There may be extenuating circumstances but in most cases it generally would not be a warning; it would be an infringement.

However, having said that, education is the most important component, particularly

with the building industry. We work to educate them as to how they should operate. But we have the tools available for recalcitrants or people who are not doing that and we will take appropriate action. We have an enforcement policy, which is basically warn and then we infringe and then we prosecute. To date we have not got to a prosecution, I believe, for those. But that is only to date.

**MS HUNTER:** Could I have a breakdown, as I said, for this current financial year and the previous two, and some idea about number of warnings and the number of infringements? As you say, there has not been a prosecution to date. But it would be good to—

**Mr Walters:** We do produce those in the annual report, but we can give you those.

**MS HUNTER:** That would be great if you can produce it to this committee.

**THE CHAIR:** That is taken on notice. Mrs Dunne, did you have any further questions for Mr Walters?

**MRS DUNNE:** I have some questions about blue-green algae and about stormwater harvesting. Are they covered here?

**Mr Walters:** The first one maybe.

**MRS DUNNE:** Mr Walters, can you tell me what scientific monitoring is done on the quality of stormwater that flows into Canberra's lakes rather than when it gets into the lake? What is done upstream of the lake?

**Mr Walters:** That is a broader question. The ACT has a monitoring program which is in collaboration with Actew and Territory and Municipal Services. There is a number of monitoring points around the ACT. I believe you are familiar with the water quality report that is produced annually.

**MRS DUNNE:** Yes. So you use monitoring points. So how often are they monitored?

**Mr Walters:** I would have to take that on notice. I do not have it on the top of my head.

**THE CHAIR:** That is taken on notice.

**MRS DUNNE:** That is okay.

**Mr Walters:** It is in the water quality report, the details of that.

**MRS DUNNE:** The detail is in that water quality report. Is that work identifying particular sources of nutrient? Is that helping to pinpoint where nutrient is coming from and particular sorts of nutrient?

**Mr Corbell:** I think that is a difficult question to answer. Sources of nutrient and the nature of nutrient are two different things. Obviously the monitoring work that informs the water quality report would tell us what the issues were at a particular

point in the stormwater network. But it would not tell us where that nutrient originated from. We might be able to deduce where it may have come from, but it is not—

**MRS DUNNE:** Because of where it appears on the monitoring—

**Mr Corbell:** because where the monitoring report is—

**MRS DUNNE:** So it would occur upstream of that?

**Mr Corbell:** It is not an exact science or process, or not one that is sort of spat out of a machine.

**MRS DUNNE:** So is it possible from that monitoring for the EPA to identify possible discharge breaches?

**Mr Walters:** If we saw a significant trend that was unusual—we have been monitoring this information or these sites for a long time, so we have never really seen any climatic conditions; flood, droughts have generally been it. As the commissioner has pointed out, it is maybe not point sources that are the contributors we are seeing from an urban context; it is diffuse sources, which is a whole matter of just general diffuse impacts that we are getting from the fact that we exist here basically, in terms of day-to-day activities of the populace.

**MRS DUNNE:** So you are not seeing any breaches of EPA regulations through this water monitoring?

**Mr Walters:** No. Generally the ACT has very minimal industry, to be honest. For any industries, like fuel storage facilities and that, we require point source monitoring, so they are required to monitor on their discharges through their licences; Queanbeyan, lower Molonglo as well. So luckily we do not have a lot of point source potential sources here. Of those we have, they are generally licensed. So it is fairly clear. The commissioner's report, with the experts that informed him, has sort of indicated that it is coming from the general ambient areas, our rural catchments—that sort of thing.

**MS HUNTER:** But would you agree it is difficult to catch someone who is doing the wrong thing, unless there is someone there at the scene at the time? I have been told of an instance of fertiliser being put down the drain at one of our town centres and the EPA being rung, but the EPA were not there on the spot and, even though a sample was taken, because you turn up afterwards the deed is already done—

**Mr Corbell:** That is the challenge with any range of regulatory activity in terms of being able to prove that someone acted in a way that was not in accordance with the law. That is a challenge for all regulatory agencies, whether it is EPA, whether it is parking inspectors, whether it is TAMS rangers, with illegal dumping. It is the same issue. Proving actions is a challenge; there is no doubt about that. That is why—

**MS HUNTER:** But is there some capacity, if someone is there and they take footage or take a sample, for that to be used in investigations, or not?

**Mr Corbell:** I think our regulatory officers would look at anything that was available

on a case by case basis as to whether or not it is reasonable to be considered for the purposes of either an infringement or a prosecution. Obviously a prosecution requires a very high threshold of evidence that is going to stand up if tested in court. So that is a high threshold, as it should be. For infringement notices, similarly; obviously the issuing of infringement notices can also be disputed, and the same sort of evidentiary obligations would apply in those circumstances.

**Mr Walters:** As I have stated earlier, because of the limited resources that all regulators have, education is a key component of it. Just last night I had a discussion at the AGM for the MTA with Brett Phillips from ORS. So we take all available opportunities to speak to groups like the MBA; we are facilitating a training session with all the developers and builders. We think it is timely that we do that regularly. So education is really the key often, because the EPA's view is that if we have to regulate ultimately we have failed in our duty to a degree because people are not aware of their responsibilities. So the key tenet of the Environment Protection Act is people being aware of their general environmental duties. So that is where we target a lot of our resources. We have an industry liaison officer who specifically does that role, to give us that contact into the industries that we believe we should be discussing matters with.

**MRS DUNNE:** We touched on the urban waterways before. The ICRC has now made recommendations about conducting cost-benefit studies before proceeding with any further development of urban waterways. Minister, you intimated that you were not at this stage progressing with the north Weston reticulation system. So what is in place to develop the cost benefit of the stormwater reticulation system?

**Mr Corbell:** What the ICRC recommended was that we trial the operation of the north Canberra reticulation network to help better ascertain costs and benefits of the possible further rollout of similar reticulation networks. The north Canberra project is not yet physically complete. When it is physically complete, operating rules have been settled, pricing rules have also been settled and the operator has taken charge of the network and is operating it, that will be the time to establish the terms, if you like, of such a review process. So we are still at early days in relation to the operation of the network.

**MRS DUNNE:** Refresh my memory; the completion of the north Canberra ponds and reticulation is for June 2014; is that right?

**Mr Corbell:** That is correct.

**MRS DUNNE:** And who will be the operator?

**Mr Corbell:** TAMS.

**MRS DUNNE:** And has the government worked out what it will charge for the use of water drawn from the urban waterways?

**Mr Traves:** There is a recommendation that they pay the standard WAC that everybody else does and they have agreed to do that, which is the 51c.

**MRS DUNNE:** Sorry; I did not hear you, Mr Traves.

**Mr Traves:** The water abstraction charge I think is what you are referring to, for the abstraction of the water from a non-potable source? Cabinet, I believe, agreed to a 51c charge for that, which is the standard paid by everybody else in the community.

**MRS DUNNE:** That is 51c a kilolitre?

**Mr Traves:** That is correct. That is for the purposes of the trial.

**MRS DUNNE:** That is for the purposes of the trial to establish a cost benefit?

**Mr Traves:** Yes.

**MRS DUNNE:** That brings me on to the issue with some of the sporting clubs that already have infrastructure for capture and storage of stormwater on their properties. Yowani come to mind; they pay for groundwater abstraction and at a fairly high rate of \$250 a megalitre is my understanding, compared to about \$10 in New South Wales. On top of that they will be charged 51c a kilolitre?

**Mr Corbell:** No, they will not.

**MRS DUNNE:** No. Sorry; on top of the \$250 a megalitre for groundwater abstraction they will be charged 51c a kilolitre for stormwater which they have collected on their grounds. Is that right?

**Mr Papps:** Just to clarify that, this is an issue that has emerged and was raised with the government some time ago by the golf clubs in particular.

**MRS DUNNE:** It has been raised with me too.

**Mr Papps:** Yes. The department met with those clubs affected by this to discuss the concerns that they were raising and as a result of that the government has made a decision that the WAC on surface water for these clubs will be phased in over a three-year period, so they will be charged initially 10c a kilolitre, rising to 20c a kilolitre, rising to 25c a kilolitre and then moving to the full WAC. The government will also give them a credit for works, for infrastructure, that they put in place on their own properties to improve water efficiency.

**MRS DUNNE:** A credit for what? For instance, if they can demonstrate they spent \$100,000 on improvements they would not pay the first \$100,000 of the water abstraction charge?

**Mr Papps:** It will not necessarily be a one to one, but essentially the model you are talking about is the model we have. So they have to demonstrate an expenditure on infrastructure works or some efficiency measure. It might include things in a golf club, for example, arguably around changing the sort of grass that they have used on the greens. There is a wide range of options available to them to demonstrate that, and once that is demonstrated, once they can prove that they have expended that money on that, we make an assessment of its efficiency: has it contributed to water savings?

Then they get a credit against the WAC charge they have to pay.

**MRS DUNNE:** Does any other jurisdiction charge a water abstraction charge on surface water?

**Mr Corbell:** We will have to take it on notice, Mrs Dunne.

**THE CHAIR:** It is taken on notice.

**MRS DUNNE:** Could you also tell me, when you met with the golf clubs and others—I presume Thoroughbred Park is part of that as well—when you transmitted this information to them, what their response was, apart from a recent cranky letter to the minister? And over what period are these improvements? So how far back are these improvements going to be cast, for instance?

**Mr Corbell:** I am certainly aware, Mrs Dunne, that a number of golf clubs continue to have reservations about the proposal and they have recently written to me seeking a meeting. My office is currently arranging that meeting.

**MRS DUNNE:** So when was the meeting where you transmitted to the users the notion that you would phase in the WAC?

**Mr Papps:** I had a series of meetings with those that had raised concerns, and with ClubsACT in the sense of being a bit of a representative of all of them, and I met individually with any of the clubs that had raised concerns directly with the minister or with the department. We had a range of conversations over some period of time and then from recollection we advised them of the outcome by letter earlier this year.

**MRS DUNNE:** So when do you envisage beginning the phase-in?

**Mr Papps:** The phase-in is retrospective. So year one is 2010-2011, year two is 2011-12 and year three is 2012-13.

**MRS DUNNE:** And when do they have to pay that?

**Mr Papps:** They will be given a period within which to pay that.

**MRS DUNNE:** And how much do you envisage raising from this phased-in water abstraction charge and how much do you envisage raising once it is fully operational at 51c a kilolitre?

**Mr Papps:** I would have to take that on notice.

**MRS DUNNE:** Thank you.

**THE CHAIR:** That is taken on notice.

**MRS DUNNE:** Getting back to the urban waterways, what is the final expected cost of the whole of the north Canberra urban waterways?

**Mr Corbell:** I think you have already asked that, Mrs Dunne. I have taken your question on notice.

**MRS DUNNE:** Sorry; I could not remember whether I had asked it or not. I have just written it down here.

**THE CHAIR:** I have a question about the energy and water efficiency outreach program. It is listed at budget paper 4, page 320. That program is ending, is that correct? It refers to cessation of improving energy and water efficiency for low income, disadvantaged households. That program is ending?

**Mr Corbell:** The outreach program is continuing.

**THE CHAIR:** Why does it say “cessation” then?

**Mr Corbell:** That is not the outreach program, I think is the answer to that question. Can anyone provide further advice on that?

**THE CHAIR:** That is not the outreach program or that is the outreach program?

**Mr Corbell:** No, the outreach program is continuing.

**THE CHAIR:** This one here, though, improving energy and water efficiency for low income, disadvantaged households is ending?

**Mr Corbell:** If I recall correctly, this was the precursor of the outreach program.

**THE CHAIR:** So that has been renamed?

**Mr Corbell:** There was a bucket of money allocated for essentially what was a trial of outreach and there has been some money remaining from that program. We are ceasing that element, but outreach and the money that the government has provided for outreach, which is in the order I think of around \$10 million to \$15 million is ongoing.

**THE CHAIR:** It is recurrent?

**Mr Corbell:** It is funded over a four-year period and it is-

**THE CHAIR:** What is the difference between the outreach and this one?

**Mr Corbell:** I am hoping that someone will be able to assist me with that.

**Mr Meyer:** That amount in that period was for a trial. So effectively that is feeding into the low income earners and general population.

**THE CHAIR:** What is the difference between the program that is ceasing and the outreach program? What is the difference between them? The one that is continuing is the outreach. The one that is ceasing is this.

**Mr Meyer:** The outreach program is more comprehensive and is run through community organisations. So it is effectively extended to those sectors so that they can be more effectively managed.

**THE CHAIR:** How is it more comprehensive than the previous one?

**Mr Meyer:** In the sense that there are a wider range of providers that are working in the community with our clients and client base. Effectively the trial was not of that scale. So it did not have that degree of penetration; hence the-

**THE CHAIR:** This is running through more organisations than it did previously?

**Mr Meyer:** That is correct.

**Mr Corbell:** [Outreach is being delivered by a range of community service providers such as the Salvation Army, the Smith Family, Northside Community Service, Belconnen Community Service and the YMCA.](#) They are acting as the outreach agency, if you like, because they are the groups that have the understanding of who is actually vulnerable in the community.

**THE CHAIR:** Yes, that makes sense.

**Mr Corbell:** We are training up some of their personnel to help with assessments and identify measures, such as replacement of old, inefficient fridges, washing machines, better window coverings and so on to improve the energy efficiency of those premises.

**THE CHAIR:** On page 320, it indicates that the tune up Canberra grants program is ceasing as an initiative. Is that right?

**Mr Corbell:** Yes. This is the program that was established and previously delivered by the ACT Planning and Land Authority. This provided dollar for dollar matching funding for commercial property owners to retrofit premises.

**THE CHAIR:** I understand. Is the grants program ceasing?

**Mr Corbell:** Yes. The program started in 2009-10 but the number of applications for funding has been extremely low. \$1.5 million dollars has been provided or is due to be paid to successful applicants.

**THE CHAIR:** Was that in 2011-12?

**Mr Corbell:** That is in total. And that amount is expected to be paid to applicants over the next three financial years as they complete their projects. The government has taken the decision not to continue the program due to a very low level of take-up by commercial property owners.

**MS HUNTER:** Was there feedback why that program was not more popular?

**Mr Corbell:** I am sure Mr Meyer can give you a bit more information. My understanding is that, given the scope of works that building owners had to undertake

and therefore the budget cost of that to them, whether or not this program would assist them was marginal in their decision making as to whether or not they would make those investments.

**Mr Meyer:** That is correct, and certainly the ones we spoke to were at different stages of their cycle of maintenance and refurbishment and it just was not coinciding and not economical for them to proceed at that stage.

**MS HUNTER:** I have a question about the energy efficiency retailers scheme. \$200,000 has been allocated to the administration of this scheme. Can you tell me who is responsible for administering the scheme?

**Mr Meyer:** Do you want to take this one?

**Mr Traves:** I can talk to the money. This was a scheme that was developed by the policy unit that will actually be delivered by regulation; so we might split the answer on this one. The \$200,000 relates to the access by the administrator of the scheme to consultants and external auditors so that they have an independent source of information and can draw on the expertise as required from time to time. That is an ongoing arrangement for them to have moneys to draw on expert advice. In terms of the day-to-day administration of the scheme, that will be within the regulation unit, and Mr Meyer can talk to that.

**Mr Meyer:** We are just in that handover phase where we are setting up the arrangements for the administration of the scheme. Over the next six months we will be heavily involved in the number of set-up arrangements. The expectation at this stage is that we would be making a recommendation to the minister on the appointment of an administrator, and that is likely to be within the Environment and Sustainable Development Directorate at this point in time. That administrator would be supported by a number of staff, probably two staff at this stage, certainly working with the policy branch, and a range of staff in the programs areas, sustainability programs as well as in the building construction area.

**MS HUNTER:** Mr Meyer, were extra resources given to administer the scheme, or you are doing it within existing resources?

**Mr Meyer:** We are doing it within existing resources. As Mr Traves mentioned, there is a sum of money that we will use for the purposes of engaging specialist advice and other support as we need it but the staffing will largely be within the directorate itself.

**MS HUNTER:** And you do have enough resources to properly run that program?

**Mr Meyer:** I believe that is the case, yes.

**Mr Corbell:** I should clarify too that under the scheme smaller retailers, tier-two retailers, will pay out their obligations in relation to energy efficiency because it is unlikely to be cost efficient for them to choose to deliver those programs directly to their customers because of the number of customers they have. Those payouts will be made to the territory as the territory recoups the cost of the operation of the scheme through those payments and can then use those payments to invest in other abatement

measures which are not being delivered in the same way as a tier-one retailer would be delivering them.

**MS HUNTER:** I want to go to the appointment of the Commissioner for Environment and Sustainability. My understanding, from looking at the notifiable instrument, is that it does cease on 30 June. What arrangements have you got in place?

**Mr Corbell:** I have recently extended the appointment of the acting commissioner.

**MS HUNTER:** And how long has that extension been made for?

**Mr Corbell:** [Till the end of this calendar year.](#)

**MS HUNTER:** Have you got any plans about what will happen?

**Mr Corbell:** The government will advertise the position and undertake a merit-based process.

**THE CHAIR:** I have got a general question about weathering the change, noting that implementation funding for weathering the change 1 is not in this year's budget, I understand. Can you advise when weathering the change 1 officially ended?

**Mr Corbell:** There is not a precise date as to when weathering the change 1 ended, but it has since been superseded by a range of measures which have already been implemented, for example, the energy efficiency legislation measures in terms of the waste policy and so on which will be reflected in the final policy document of weathering the change 2.

**THE CHAIR:** You cannot give us an official end date, but was it publicly announced that this would be ending and that these other things would supersede it?

**Mr Corbell:** The government completed a review of action plan 1 in January 2010. We released that in August 2010. That review found that 20 actions had been completed, 22 were ongoing, one had been overtaken by commonwealth policy, that is, an emissions trading scheme, and a limited number of actions had identified quantitative greenhouse gas emission reductions.

**THE CHAIR:** I do know when that report came out. I recall that. We have got these other things that have taken over. Was it actually announced that that would be the case? I think a lot of people thought the plan was still there.

**Mr Corbell:** I think the government made it pretty clear when we were consulting on action plan 2 that action plan 1 had effectively concluded.

**THE CHAIR:** When will action plan 2 commence and will there be funding for that?

**Mr Corbell:** Action plan 2 will have a range of measures within it. Consideration of action plan 2 is currently being finalised within government. A number of key elements of action plan 2, though, are already in train. It will be no surprise to anyone that a range of policy measures the government has already implemented will be

reflected in action plan 2, such as, again, the energy efficiency cost of living scheme and the large-scale solar option, as two of those elements.

**THE CHAIR:** Do you have any idea when that will be available?

**Mr Corbell:** As soon as possible. The government is finalising its consideration.

**THE CHAIR:** Presumably, if there was to be any budget allocation, that would be in the next budget.

**Mr Corbell:** New measures that are outlined in the policy would be subject to funding in forthcoming budgets, if they require budget funding. It is important to stress that a number of policy measures do not really require budget funding. The two most obvious ones are the ones I just mentioned.

The energy efficiency legislation has a very modest appropriation this year, but it has effectively recovered from the cost of operating the scheme through payments from retailers. Large-scale solar is basically just an in-house capacity to administer and run the auction, but the actual delivery is done by private renewable energy generators. Equally, other elements of action plan 2 engage other parts of government in other parts of the budget. For example, transport for Canberra and emissions reductions and transport are driven by budget decisions in terms of public transport provision. Equally, matters around waste are driven by measures in the waste budget and so on.

It is important to stress that action plan 2 is not going to be the sort of document that has its own discrete funding for everything. Measures in action plan 2 will be deployed across the government in the respective directorates and budget funding will be used based on either what is already there or supplemented as appropriate in accordance with the usual budget cabinet process.

**THE CHAIR:** We were told in estimates last week by Mr Cappie-Wood that the whole-of-government progress and weathering the change was the responsibility of the Environment and Sustainable Development Directorate. What does the directorate do to engage and work with the other directorates to achieve outcomes and targets of weathering the change?

**Mr Corbell:** Obviously we have got a range of mechanisms for whole-of-government policy coordination. Those are being exercised in the development of action plan 2. What we also have is the very significant investment the government has put into the new carbon neutral government operations fund; \$5 million has been allocated in this year's budget to help drive improvements in the carbon intensity of the government's own operations. This will be a \$5 million revolving loan facility available to ACT government agencies to deploy energy efficiency measures in their own area of operations.

In addition to the \$5 million the government has allocated, there is already \$1.9 million for the resource management fund allocated in previous budgets. In total it is just under \$7 million of funding now available in a revolving loan facility to government agencies to deploy energy efficiency practices and improve the carbon footprint, if you like, of their operations.

**THE CHAIR:** When weathering the change commenced in 2007 there were regular monthly newsletters and progress reports against the actions. What reports are currently published showing progress against the plan? I appreciate that we are transitioning, it seems, into the second, but what is regularly provided?

**Mr Corbell:** Action plan 1 has come to an end and the government has reported against the outcomes that have been achieved in relation to action plan 1.

**THE CHAIR:** In terms of those regular updates which were done when it first came out—

**Mr Corbell:** There is no utility in further reporting against action plan 1.

**THE CHAIR:** Okay. So we have to wait until action plan 2 comes out—

**Mr Corbell:** Yes.

**THE CHAIR:** to start getting them.

**Mr Corbell:** The reporting arrangements will be those that are outlined in action plan 2.

**THE CHAIR:** Will we get those regular updates which we have not been getting?

**Mr Corbell:** You are assuming there will be a certain level of reporting.

**THE CHAIR:** I am assuming that, like in the first one there were—

**Mr Corbell:** All I am saying to you is that there will be a reporting and accountability and measuring element to action plan 2. That will be announced when action plan 2 is announced.

**MS HUNTER:** Just going to the government's carbon neutrality target—and you just mentioned the \$5 million fund, or loan facility—this is the fund intended to support agencies' implementation of their resource management plans. It was in weathering the change 1 that agencies were required to have a resource management plan. As agencies have been coming into these estimates hearings they have been asked how their resource management plans have been going. It has been incredibly patchy, I have to say. When you say "resource management plan" some of them do not even know what you are talking about. I just want to understand how that is being driven, promoted and monitored. As you said, there is money put into it and there is also the government carbon neutrality target to be met.

**Mr Corbell:** ESDD provides support to other government agencies to ensure that they have a clearly developed and articulated resource management plan. Some directorates have completed that work. Others are in the process of revising what are now outdated RMPs, which were developed prior to the restructure of the government following the Chief Minister's election last year. So that work is ongoing.

**MS HUNTER:** As you say, that is what the directorate does; it goes out and supports and promotes. I am still a little confused as to why there have been blank looks on faces when we have been asking about them. How many directorates currently have a fully completed resource management plan and how many are still ongoing or updating?

**Mr Corbell:** The Chief Minister and Cabinet Directorate and the Treasury Directorate have completed resource management plans. The Environment and Sustainable Development Directorate has an interim plan, which is subject to finalisation because of the consolidation of different agencies within the new directorate—ACTPLA into the old DECCEW and so on, and elements of TAMS as well. Other agencies are currently revising their outdated resource management plans.

**MS HUNTER:** So all the other directorates apart from the ones you mentioned?

**Mr Corbell:** Yes. Other directorates have established a range of dedicated environmental sustainability staff. Two directorates have dedicated environmental sustainability officers, being Justice and Community Safety and the Health Directorate. Other agencies have a range of other mechanisms in place to deal with a range of issues relating to the sustainability of their operations, including CIT and the Legislative Assembly.

**MS HUNTER:** Another action in weathering the change action plan 1 was requiring agencies to have vulnerability assessments. How many agencies have completed a climate vulnerability assessment? Do you have that information?

**Mr Corbell:** I would have to take that on notice.

**THE CHAIR:** That is taken on notice.

**Mr Corbell:** I am advised by Mr Traves that this work is being dealt with as part of risk management plans for agencies, but I will take the detail of the question on notice.

**THE CHAIR:** That is taken on notice.

**MS HUNTER:** Another thing was around the renewable energy uptake. The ACT's sustainable energy policy noted that the ACT's renewable energy targets would be reviewed as part of the finalisation of weathering the change action plan 2. Can we just have an update of where that is up to?

**Mr Corbell:** Action plan 2 is being finalised.

**MS HUNTER:** Yes, but can you give us any information—

**Mr Corbell:** I am not in a position to pre-empt policy decisions that have not yet been confirmed by government.

**MS HUNTER:** So you are not aware at this time whether that work has been undertaken to be put into action plan 2?

**Mr Corbell:** I am aware that work has been undertaken, and I have been extensively briefed on it, but the government as a whole has not yet made a policy decision.

**MS HUNTER:** The work has been done to develop action plan 2?

**Mr Corbell:** Yes. It is subject to whole-of-government consideration through the cabinet process, and I am not at liberty to make a policy announcement ahead of cabinet consideration of the matter.

**MS HUNTER:** Another thing was around the ACT grid analysis—an assessment of the ACT's electricity grid, including its capacity to deal with increased distributed energy uptake. It was due to be released last month; I understand we have not seen it. When is that report due to be released?

**Mr Corbell:** This was a matter raised by your colleague Mr Rattenbury following discussions around the passage of the large-scale solar legislation.

**MS HUNTER:** Yes.

**Mr Corbell:** The government agreed to undertake an independent grid analysis of the capacity of the ACT electricity network to accommodate distributed energy generation sources. We have commissioned that work. That work has been largely completed. I have written to Mr Rattenbury, advising him that it will be made available shortly but it will be slightly delayed from the time frame that was originally agreed. I have outlined the revised time frame to Mr Rattenbury in correspondence to him.

**THE CHAIR:** I have a question about funding that has been allocated for kangaroo monitoring research. It is listed on budget paper 4, page 318. Some \$243,000 is being allocated over the next two years. I am wondering if we can get some information on specifically what this funding will be spent on.

**Mr Corbell:** The \$243,000 will be allocated over two years to appoint contractors to undertake further conservation research on the interlinkages between kangaroo populations, vegetation and endangered species. The research will allow us to continue to monitor reptile occurrence in locations with different kangaroo grazing intensities; measure grass tussock structure and herbage mass and examine the relationship between grass, kangaroo populations and reptile occurrence; use mobile grazing enclosure cages to measure vegetation growth and vegetation eaten by kangaroos; and measure kangaroo density on a number of additional sites.

**THE CHAIR:** Did you say an outside contractor would do that?

**Mr Corbell:** Contractors, yes.

**THE CHAIR:** So it will presumably be outside government?

**Mr Corbell:** Yes. This will be overseen by our wildlife ecologists, but additional expertise will be brought in to assist.

**THE CHAIR:** What prompted the allocation in this budget?

**Mr Corbell:** This was identified by the wildlife ecology area within ESDD as an area for further work.

**THE CHAIR:** So it was just part of the normal budget?

**Mr Corbell:** Yes.

**THE CHAIR:** Why has it only been allocated for the two years?

**Mr Corbell:** That is the period of time required to complete the work.

**THE CHAIR:** So it is not seen that this sort of research will be required beyond that period?

**Mr Corbell:** That would be ascertained at the time.

**MS HUNTER:** I want to ask about the role of the conservator.

**Mr Corbell:** Ms Hunter, can I remind you that the conservator is absent today, regrettably, due to illness. Mr Papps will assist where possible.

**MS HUNTER:** Will we be getting an opportunity in these estimates to have the conservator in? This is the last opportunity?

**THE CHAIR:** Yes, it is.

**Mr Corbell:** I apologise to the committee. Unfortunately, due to illness, she is not available.

**MS HUNTER:** From page 319 of your last annual report, there was a consultancy done by PricewaterhouseCoopers for \$44,800 for investigation of the Conservator of Flora and Fauna's approved roles and functions. That was signed off in October 2010. Has that consultancy been finalised? Has there been a report?

**Mr Papps:** Yes.

**MS HUNTER:** When was that finalised?

**Mr Papps:** I do not have the exact date, but I can advise you that it has been finalised and provided to ESDD. It has been considered by the group reviewing the Nature Conservation Act, because the role of the conservator is one of the fundamental elements of the Nature Conservation Act. That was an input for ESDD staff reviewing the Nature Conservation Act.

**MS HUNTER:** Is it possible for that report to be made publicly available?

**Mr Papps:** It was not planned to be publicly available. It was advice requested by the directorate to be considered internally in reviewing the role of the conservator.

**MS HUNTER:** Minister, is that something you could take on board to consider?

**Mr Corbell:** I am happy to consider it.

**MS HUNTER:** As you said, that is very much linked with the review of the act. Again, just remind me of the timing of the act. We are looking at June 2013? Is that right?

**Mr Papps:** In terms of the Nature Conservation Act?

**MS HUNTER:** Yes.

**Mr Papps:** I think the minister made a commitment that we would attempt to get an exposure draft to the Assembly prior to the election.

**Mr Corbell:** Earlier today I indicated September as a possible date. But debate and passage of any legislation would not occur until the next Assembly.

**THE CHAIR:** But I am presuming it has to go out for public consultation as well?

**Mr Corbell:** Yes; that is what an exposure draft will allow us to do.

**THE CHAIR:** Did you have any questions, Mr Smyth? No? We do not have any more questions.

**MS HUNTER:** There are some questions, but they will go on notice.

**THE CHAIR:** Yes. Thank you, Minister Corbell, for appearing before the committee today. As mentioned at the commencement of the hearing today, answers to questions taken on notice at this hearing should be returned within five business days of the hearing, with day one being tomorrow, being questions on notice for Environment and Sustainable Development output classes 1.4, heritage, 1.5, policy, and 1.6, environment protection and water regulation—should be lodged with the Committee Office within three business days of receipt of the uncorrected proof transcript, with day one being the first business day after the transcript is received.

Proceedings will recommence tomorrow at 9 am; I expect to finish at 6 pm. Proceedings will commence with the committee's examination of budget output classes regarding the Justice and Safety portfolio; then the committee will examine the Office of the Commissioner for Sustainability and the Environment and the portfolio areas of Industrial Relations, artsACT and Community Services.

**The committee adjourned at 5.11 pm.**